

Sec. 31-236-2. Bona fide offer of work or referral to work

(a) In determining whether an individual refused work, or a referral to work, for sufficient cause, the Administrator must first establish that there was a bona fide offer of work or a definite referral to work. A job referral or offer must be for available work, which means a job actually open to a qualified applicant on the date of the job referral or offer, or for a job available in the near future. Telephone logs or other business records shall be admissible as evidence of a bona fide offer of work or referral to work.

(b) An offer of work can be made only by an employer or his authorized agent or the public employment bureau. A referral to work can be made only by the Administrator or the public employment bureau.

(c) In order to establish that a refusal occurred, the Administrator must determine that the individual knew he was being offered a specific job or a referral to a specific job, and did not accept the specific job or referral.

(Effective June 24, 1986; Amended July 28, 1997)