



KEEPING YOU INFORMED

June 24, 2020

DWS UPDATES:
UNEMPLOYMENT
CLAIMS
REQUIREMENTS AND
REFUSAL TO RETURN
TO WORK

Gill Ragon Owen stands ready to assist you through these trying times.

Last week, Commerce Secretary Mike Preston announced changes to Arkansas's unemployment system. In March, the state waived three traditional unemployment requirements:

- The one-week waiting period before benefits begin;
- The requirement to apply in person; and
- The requirement to certify that the individual is searching for work.

Beginning the week of **June 28, 2020**, individuals filing their weekly claims will have to certify that they are actively searching for work. Individuals who have recall dates with a current employer can simply insert the recall date in lieu of the search requirement. The requirement to apply in person is still suspended, and all work-search certifications may be made online. The one-week waiting period also remains suspended.

The Division of Workforce Services also released its Spring 2020 Employer Newsletter. The newsletter includes resources for employers on using the online employer services portal. The newsletter also reminds employers that they must report to DWS any unemployment claimants who refuse to return to work when offered the opportunity. Employers are encouraged to review the newsletter, available [here](#).

DWS also reminds unemployment claimants who have been placed on temporary layoff or furlough related to COVID-19 that they must return to work if called back by their employer. Refusal to return to work, when being offered the normal rate of pay and number of hours per week, may result in the termination of unemployment benefits and the need to repay certain benefits. The ADA may protect some employees who are not willing to return to work.

If you are an employer that has attempted to recall a laid off or furloughed employee to work, at the same number of hours and rate of pay that they were working prior to COVID-19 and the worker has refused to return to work, you **MUST** report this activity to DWS. Employers can submit a report of refusal to work by mailing a letter and a list of employees, including the last four digits of their SSN, to their local office or by sending an email to UI.General.Questions@arkansas.gov or call our office for assistance.

For more information on DWS matters or other COVID-19 related topics, please review our COVID-19 Resources page here: <https://www.gill-law.com/covid-19-resources/#> or contact a member of our Employment Law Team: [Jenny Holt Teeter](#), [Brianna C. Cook](#), or [Sam Piazza](#).