

VIRGINIA EMPLOYMENT COMMISSION

DECISION OF COMMISSION

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Decision No. : 5836-C

SUITABLE WORK: 500.7
Wages - Prevailing Rate

Date: January 2, 1973

This is a matter before the Commission on appeal by the claimant from the decision of the Examiner (No. UI-72-2165) dated November 2, 1972.

ISSUE

Did the claimant fail without good cause to accept available suitable work when so offered within the meaning of Section 60.1-58(c) of the Code of Virginia (1950), as amended?

FINDINGS OF FACT

The claimant appealed from the decision of the Appeals Examiner which disqualified her for benefits effective September 3, 1972, for having failed without good cause to accept available, suitable work when so offered.

On September 6, 1972, the claimant was offered a job as bookkeeper by an employer in Blackstone, Virginia. The starting wage was \$1.75 per hour and the hours of work were thirty-seven and one-half per week.

The claimant refused to accept the offer of work because she felt the wages were too low and would not adequately offset her expenses. She had earned approximately \$3.00 per hour on her last job which ended on April 15, 1972. Since that time she has been seeking work throughout the Crewe, Blackstone, and Farmville, Virginia areas.

At the hearing before the Commission, the claimant presented evidence which showed that employers in the area comprising the claimant's labor market paid their bookkeepers from \$2.75 to \$3.00 per hour, with two employers paying over \$4.00 and \$5.00 respectively.

OPINION

Section 60.1-58(c) of the Virginia Unemployment Compensation Act provides a disqualification if it is found that a claimant failed without good cause to accept available suitable work when so offered.

In determining whether any work is suitable, the Commission shall consider, among other things, as to whether the wages and hours of the available employment are substantially less favorable to the individual than those prevailing for similar work in the locality.

In view of the evidence submitted to it, the Commission is not satisfied that the job offered the claimant met the prevailing wage rate for similar work in the claimant's labor market. The Commission, therefore, holds that the work offered the claimant was not suitable work. (Underscoring supplied)

DECISION

The decision of the Appeal's Examiner, disqualifying the claimant for having failed without good cause to accept suitable work when offered, is hereby reversed.