

(3) RETURN TO THE INDIVIDUAL'S USUAL SELF-EMPLOYMENT WHEN DIRECTED TO DO SO BY THE SECRETARY.

(B) DETERMINATION OF SUITABILITY.

(1) IN DETERMINING WHETHER WORK IS SUITABLE FOR AN INDIVIDUAL, THE SECRETARY SHALL CONSIDER:

(I) THE DEGREE OF RISK INVOLVED TO THE HEALTH, MORALS, AND SAFETY OF THE INDIVIDUAL;

(II) THE EXPERIENCE, PREVIOUS EARNINGS, PREVIOUS TRAINING, AND PHYSICAL FITNESS OF THE INDIVIDUAL;

(III) THE LENGTH OF UNEMPLOYMENT OF THE INDIVIDUAL AND THE PROSPECTS FOR SECURING LOCAL WORK IN THE USUAL OCCUPATION OF THE INDIVIDUAL; AND

(IV) THE DISTANCE OF AVAILABLE WORK FROM THE RESIDENCE OF THE INDIVIDUAL.

(2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, THE SECRETARY MAY NOT CONSIDER WORK TO BE SUITABLE AND THUS DENY BENEFITS TO AN OTHERWISE ELIGIBLE INDIVIDUAL FOR REFUSAL TO ACCEPT THE NEW WORK IF:

(I) THE POSITION OFFERED IS VACANT AS A DIRECT RESULT OF A STRIKE, LOCKOUT, OR OTHER LABOR DISPUTE;

(II) HOURS, WAGES, OR OTHER CONDITIONS OF WORK OFFERED ARE SUBSTANTIALLY LESS FAVORABLE TO THE INDIVIDUAL THAN THOSE PREVAILING FOR SIMILAR WORK IN THE LOCALITY; OR

(III) AS A CONDITION OF BEING EMPLOYED, THE INDIVIDUAL WOULD BE REQUIRED TO JOIN A COMPANY UNION OR RESIGN FROM OR REFRAIN FROM JOINING ANY BONA FIDE LABOR ORGANIZATION.

(C) DURATION OF DISQUALIFICATION.

A DISQUALIFICATION UNDER THIS SECTION:

(1) SHALL BE EFFECTIVE BEGINNING WITH THE LATEST WEEK IN WHICH THE INDIVIDUAL:

(I) WAS TO HAVE APPLIED FOR WORK AT THE DIRECTION OF THE SECRETARY;

(II) WAS NOTIFIED THAT SUITABLE WORK HAD BECOME AVAILABLE TO THE INDIVIDUAL; OR

(III) WAS TO RETURN TO THE USUAL SELF-EMPLOYMENT OF THE INDIVIDUAL AT THE DIRECTION OF THE SECRETARY; AND