

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**ANGIE MCNEIL**  
Claimant

**TRINITY REGIONAL MEDICAL CENTER**  
Employer

**APPEAL NO. 14A-UI-03696-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/16/14**  
**Claimant: Respondent (1)**

Iowa Code § 96.4-3 - Availability for Work  
Iowa Code § 96.5-3-a - Refusal of Suitable Work

**STATEMENT OF THE CASE:**

Trinity Regional Medical Center (employer) appealed an unemployment insurance decision dated March 31, 2014, (reference 01), which held that Angie McNeil (claimant) was eligible for unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 28, 2014. The claimant participated in the hearing. The employer participated through Ted Vaughn, Human Resources Manager.

**ISSUE:**

The issue is whether the claimant is able and available, and if so, whether she refused a suitable offer of work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed from March 30, 1988, through February 21, 2014, when she was laid off due to a restructuring in the department. She applied for another supervisor position but was not selected and did not receive a job offer.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified for unemployment compensation benefits if she refused a suitable offer of work without good cause. To be suitable, an offer of work must pay wages that are 100 percent of the claimant's average weekly wages in his highest quarter when work is offered during the first five weeks of unemployment. See Iowa Code §96.5-3-a. Additionally, both the job offer and the job refusal must occur within the claimant's benefit year before disqualification can be imposed. 871 IAC 24.24(8).

In the case herein, no job offer was made to the claimant so there is no basis for disqualification. Benefits are allowed, provided she is otherwise eligible.

**DECISION:**

The unemployment insurance decision dated March 31, 2014, (reference 01), is affirmed. The claimant is qualified for unemployment insurance benefits, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/pjs