

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

ADALBERTO CASTREJON
Claimant

APPEAL NO. 10A-UI-04041-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ANNA ENTERPRISES
Employer

**Original Claim: 02/07/10
Claimant: Appellant (2)**

Section 96.5(3)a – Refusal of Work/Requalification

STATEMENT OF THE CASE:

Adalberto Castrejon filed an appeal from a representative's decision dated March 11, 2010, reference 01, which held he had not requalified for benefits after a disqualifying refusal of work with Anna Enterprises on December 14, 2009. Due notice was issued scheduling a hearing by telephone on May 14, 2010. Mr. Castrejon responded to the notice of hearing but was not available at the number provided at the scheduled time of the hearing. Because it was his appeal and he was not available to participate, no hearing was held.

ISSUE:

At issue in this matter is whether Mr. Castrejon has requalified for job insurance benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: On January 8, 2010, Workforce Development issued a determination, reference 05, that denied benefits to Mr. Castrejon on a finding that he had refused an offer of suitable work with Anna Enterprises. A hearing was held on the matter on February 18, 2010 with both parties participating. The March 31, 2010 decision of the administrative law judge reversed the disqualification (see appeal 10A-UI-00369-CT). The administrative law judge's decision became final in the absence of a further appeal by the employer.

REASONING AND CONCLUSIONS OF LAW:

An individual who refuses an offer of suitable work without good cause is disqualified from receiving benefits until he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount. Iowa Code section 96.5(3)a. Since the disqualification for refusing suitable work has been reversed, Mr. Castrejon would no longer be required to re-qualify for benefits.

DECISION:

The representative's decision dated March 11, 2010, reference 01, is hereby reversed. Mr. Castrejon is not required to re-qualify for benefits as a result of the December 14, 2009 refusal of work with Anna Enterprises, as the refusal has been determined to be non-disqualifying.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw