

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LEANN M BOLDT
Claimant

APPEAL NO: 11A-UI-08595-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEMP ASSOCIATES - MARSHALLTOWN
Employer

OC: 05/15/11
Claimant: Respondent (2/R)

Iowa Code § 96.5(3)a – Refusal of Offer of Job

PROCEDURAL STATEMENT OF THE CASE:

The employer appealed a representative's June 21, 2011 determination (reference 02) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant had good cause for declining the employer's March 4 job offer. The claimant did not respond to the hearing notice or participate in the hearing. Nancy Mullaney, a manager, appeared on the employer's behalf. Based on the evidence, the arguments of the employer, and the law, the administrative law judge finds the claimant is not qualified to receive benefits as of March 4, 2011 because she refused the employer's offer of work.

ISSUE:

Did the claimant have good cause to decline the employer's March 4, 2011 offer of work?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of May 9, 2010. The claimant's average weekly wage in the high quarter of this base period was \$308.00.

The claimant registered to work for the employer in November 2010. She indicated she was interested in production work and office work. On March 4, 2011, the employer talked to the claimant and offered her a job putting together kits. The job was a long-term job and was to start immediately. The job paid \$9.50 an hour. The claimant had done production work before so the employer knew she could do work that required her to stand on her feet. The claimant told the employer she wanted to think about this offer and would call back with her decision. The claimant did not call the employer again.

The representative's determination indicates the claimant declined this job because she had another job. The administrative record indicates the claimant filed claims for the weeks ending February 26 through April 2, 2011, and did not report any wages during these weeks.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she refuses an offer of suitable work without good cause. Iowa Code § 96.5(3)a. The evidence establishes the work the employer offered was suitable for the claimant. The claimant had worked at production jobs before and the offered hourly wage was more than the claimant's average weekly wage in her high quarter. Although the representative's determination indicated the claimant declined the job offer because she was working for another employer, the claimant did not report any wages for the weeks ending February 26 through April 2, 2011. Based on the claimant's weekly claims, she did not have a job. Therefore, as of March 6, 2011, the claimant is not qualified to receive benefits because she declined a suitable job without good cause.

An issue of overpayment will be remanded to the Claims Section to investigate and determine.

DECISION:

The representative's June 21, 2011 determination (reference 02) is reversed. The claimant refused the employer's offer of suitable work without good cause. The claimant is disqualified from receiving unemployment insurance benefits as of March 6, 2011. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. An issue of overpayment is **Remanded** to the Claims Section to investigate and determine.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css