

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

MIRANDA L MOHR  
204 CARTER ST SW  
HOPKINTON IA 52404

MIRAGE PROPERTIES CORPORATION  
999 – 44<sup>TH</sup> ST STE 1000  
MARION IA 52302-3846

Appeal Number: 05A-UI-06102-CT  
OC: 01/02/05 R: 03  
Claimant: Respondent (1)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5(3)a – Refusal of Work  
Section 96.4(6)a, b – Division Approved Training

STATEMENT OF THE CASE:

Mirage Properties Corporation (Mirage) filed an appeal from a representative's decision dated June 2, 2005, reference 05, which held that no disqualification would be imposed regarding Miranda Mohr's refusal of work. Due notice was issued scheduling the matter for a telephone hearing to be held on June 28, 2005. However, because a decision favorable to both parties could be issued without a hearing, no hearing was held

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: Ms. Mohr has been allowed Division Approved Training (DAT) for the period January 2 through June 25, 2005. She refused an offer of work from Mirage on May 13, 2005.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether any disqualification should be imposed for Ms. Mohr's May 13, 2005, refusal of work from Mirage. An individual who refuses an offer of suitable work is disqualified from receiving job insurance benefits. Iowa Code section 96.5(3)a. At the time of Ms. Mohr's refusal, she was on DAT. The provisions of section 96.5(3)a may not form the basis of a disqualification from job insurance benefits while an individual is on approved DAT. No employer's account is charged for benefits paid to an individual while the individual is on DAT. See Iowa Code section 96.4(6)a, b.

For the reasons stated herein, benefits are allowed to Ms. Mohr but shall not be charged to Mirage while she is on DAT.

DECISION:

The representative's decision dated June 2, 2005, reference 05, is hereby affirmed. No disqualification is imposed for Ms. Mohr's May 13, 2005 refusal of work. Benefits are allowed, provided she satisfies all other conditions of eligibility, but shall not be charged to Mirage while she is on DAT.

cfc/kjw