

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**ISAAC D ROACH**  
Claimant

**APPEAL 21A-UI-00197-ED-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DES STAFFING SERVICES INC**  
Employer

**OC: 08/02/20**  
**Claimant: Respondent (2)**

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Iowa Code § 96.4(3) – Able to and Available for Work  
Iowa Code § 96.5(3)A – Failure to Accept Work  
IAC R 871-24.24(1)A

**STATEMENT OF THE CASE:**

The employer/appellant filed an appeal from the November 17, 2020 (reference 04) unemployment insurance decision that found claimant was eligible to receive unemployment insurance benefits. The parties were properly notified of the hearing. A telephone hearing was held on February 4, 2021. The claimant, Isaac D Roach, did not participate. The employer, Des Staffing Services Inc., participated through witnesses Jamie Scott and Julie Redmond. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. Employer's Exhibits A, B and C were received.

**ISSUES:**

Was a suitable offer of work made to the claimant?  
If so, did the claimant fail to accept and was the failure to do so for a good cause reason?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The facts are undisputed in this matter. Employer made four offers of work to claimant via telephone on August 7, 2020. That offer included the following terms: Call Center, \$9.00 per hour and 40 hours per week; Material Handler, \$14.00 per hour and 40 plus hours per week; warehouse worker, \$9.00 per hour and 40 hours a week; flagging worker, \$14.00 per hour. The wages offered for the jobs are comparable to the prevailing rate of pay for similar work in the Des Moines area.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence in the record establishes that Mr. Roach refused to accept an offer of suitable work from his employer.

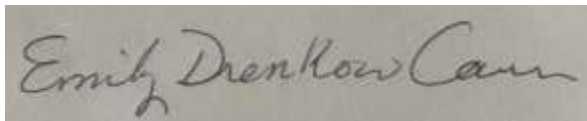
The evidence in the record establishes that employer made a bonafide offer of employment to claimant and that claimant rejected the offer. The further employment offered by the employer

was reasonably suitable and comparable to the work he had previously performed for the employer. The offered employment was also within the purview of his usual occupation. The wages, hours, or other conditions of the offered work would not have been substantially less favorable to claimant than conditions prevailing for similar work in the locality.

Based on the evidence in the record and application of the appropriate law, the administrative law judge concludes that claimant refused an offer of suitable employment from employer. Accordingly, claimant is disqualified for benefits until he had worked in and been paid for insured work equal to ten times weekly benefit amount, provided he is otherwise eligible.

**DECISION:**

The decision dated November 17, 2020, reference 04, is reversed. The claimant refused an offer of suitable employment from Des Staffing Services Inc. The claimant is disqualified for benefits until he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible. The employer's account shall not be charged for benefits paid to the claimant. The claimant is overpaid \$483.00.



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Emily Drenkow Carr  
Administrative Law Judge

February 17, 2021  
Decision Dated and Mailed

ed/scn