

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CRYSTAL J REHM

Claimant

APPEAL NO. 11A-UI-12763-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

COUNTRY SIDE TURF & TIMBER INC

Employer

OC: 06/26/11

Claimant: Respondent (1)

Section 96.5-3-a – Refusal of Suitable Work

STATEMENT OF THE CASE:

Country Side Turf & Timber (employer) appealed a representative's September 21, 2011 decision (reference 01) that concluded Crystal Rehm (claimant) was eligible to receive unemployment insurance benefits because there was no offer of work. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for October 19, 2011. The claimant participated personally. The employer participated by Harold Crosser, Owner, and Emily Berner, Parts and Service Manager.

ISSUE:

The issue is whether the claimant refused an offer of suitable 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 hired on April 20, 2009, as a part-time laborer. The claimant was laid off on June 27, 2011 due to lack of work. On June 30 and July 11, 2011, the employer left the claimant voice messages on her cellular telephone about working on July 11, 2011. The claimant did not get the messages until after July 11, 2011. The claimant filed her claim for unemployment insurance benefits on June 26, 2011.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant did not refuse an offer of suitable work.

871 IAC 24.24(1)a provides:

(1) Bona fide offer of work.

a. In deciding whether or not a claimant failed to accept suitable work, or failed to apply for suitable work, it must first be established that a bona fide offer of work was made to the individual by personal contact or that a referral was offered to the claimant by

personal contact to an actual job opening and a definite refusal was made by the individual. For purposes of a recall to work, a registered letter shall be deemed to be sufficient as a personal contact.

The employer left a message for the claimant that she did not receive. No offer of work was made to the claimant. The claimant is qualified to receive benefits because no offer of suitable work was made to the claimant.

DECISION:

The representative's September 21, 2011 decision (reference 01) is affirmed. The claimant is qualified to receive benefits.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/pjs