

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

RONALD J KOHLES
Claimant

APPEAL NO. 15A-UI-11514-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INTERNATIONAL INC
Employer

OC: 08/16/15
Claimant: Respondent (1)

Section 96.5-3-a – Refusal to Accept Suitable Work

STATEMENT OF THE CASE:

Manpower International (employer) appealed a representative's October 6, 2015 (reference 03) decision that concluded Ronald Kohles (claimant) eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for October 29, 2015. The claimant participated personally. The employer participated by Ryan Brennan, Recruiter. The claimant offered and Exhibit A was received into evidence.

ISSUE:

The issue is whether the claimant refused 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 employer is a staffing agency. During his last period of employment with the employer, the claimant worked from May 21 to May 25, 2015 as a full-time general laborer. The employer did not have work for the claimant after May 25, 2015. On August 27, 2015, the employer called the claimant and offered a first-shift, full-time job at \$11 per hour or \$440 per week. The claimant had been offered a position at the Target Distribution Center and told the employer he could not accept the job. On August 28, 2015, the claimant discovered that his background check had not been processed yet with Target. He called the employer back to see if the offer was still available. It was not. The claimant was hired at the Target Distribution Center on September 5, 2015 and worked weekend mornings. The employer made other offers of work to the claimant on September 4 and 16, 2015 but at the time the claimant was working at the Target Distribution Center.

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.

Iowa Admin. Code r. 871-24.24(7) provides:

(7) Gainfully employed outside of area where job is offered. Two reasons which generally would be good cause for not accepting an offer of work would be if the claimant were gainfully employed elsewhere or the claimant did not reside in the area where the job was offered.

The claimant refused work because he had accepted another job. The claimant is qualified to receive benefits because he did not refuse an offer of suitable work.

DECISION:

The representative's October 6, 2015 (reference 03) decision is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

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