

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**REX C GLATTFELDER**  
Claimant

**APPEAL NO. 08A-UI-10447-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PIPER MOTOR COMPANY INC**  
Employer

**OC: 08/24/08 R: 03**  
**Claimant: Appellant (4)**

Section 96.4-3 – Available for Work  
Section 96.5-3-a – Refusal of Work

**STATEMENT OF THE CASE:**

Rex C. Glattfelder filed a timely appeal from an unemployment insurance decision dated October 29, 2008, reference 03, that disqualified him for benefits upon a finding that he had refused a suitable offer of work from Piper Motor Company, Inc. After due notice was issued, a telephone hearing was held November 24, 2008 with Mr. Glattfelder participating. Owner Bruce Piper participated for the employer. The administrative law judge takes official notice of Agency decision records.

**ISSUE:**

Did the claimant decline an offer of work?

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: On or about September 19, 2008, Owner Bruce Piper of Piper Motor Company, Inc. offered to re-hire Rex C. Glattfelder to his former position with the company with a raise of \$.25 to \$.50 per hour. Mr. Glattfelder declined the offer of work because he was scheduled to begin truck driving school the next week. Iowa Workforce Development has granted Mr. Glattfelder department-approved training status beginning September 28, 2008. Benefits to individuals in department-approved training status are charged to the unemployment insurance trust fund and are not charged to the account of any base period employer.

**REASONING AND CONCLUSIONS OF LAW:**

The question here concerns the unemployment insurance consequences of Mr. Glattfelder's refusal of the offer of work made by Mr. Piper. The administrative law judge concludes from the evidence and the law that benefits should be withheld for the weeks ending September 20 and September 27, 2008 but that they should be allowed beginning September 28, 2008, with the proviso that benefits should not be charged to the account of Piper Motor Company, Inc.

A provision of the Iowa Administrative Code states that if an individual declines a suitable offer of work under circumstances that render the individual unavailable for work, benefits are withheld for the period of unavailability but that the individual is not required to earn ten times his weekly benefit amount in wages for insured work as a condition to requalify for benefits.

The evidence presented to the administrative law judge persuades him that Mr. Glattfelder declined Mr. Piper's offer of work because he had already paid his tuition to begin truck driving school the week of September 28, 2008. Since he could have worked for the two intervening weeks but chose not to do so, benefits should be withheld for those two weeks. Benefits should be awarded effective September 28, 2008 because the Agency has already granted him department-approved training status. No benefits shall be charged to the account of Piper Motor Company, Inc.

**DECISION:**

The unemployment insurance decision dated October 29, 2008, reference 03, is modified. Benefits are withheld for the two weeks ending September 27, 2008. Benefits are allowed, however, effective September 28, 2008, provided the claimant is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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