

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

LESA L ANDERSON  
2830 PARIS RD  
WALKER IA 52352

CAMBRIDGE TEMPOSITIONS INC  
ATTN MANAGER  
610 – 32<sup>ND</sup> AVE SW STE A  
CEDAR RAPIDS IA 52404-3910

Appeal Number: 04A-UI-04512-AT  
OC: 02-29-04 R: 03  
Claimant: Appellant (4)

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

STATEMENT OF THE CASE:

Lesa L. Anderson filed a timely appeal from an unemployment insurance decision dated April 14, 2004, reference 02, which disqualified her for benefits upon a finding that she had refused to accept suitable work on April 5, 2004. Due notice was issued for a telephone hearing to be held May 10, 2004. Neither Ms. Anderson nor the company, Cambridge Tempositions, Inc., responded to the hearing notice. This decision is based on information in the claimant's appeal letter and the administrative file.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Lesa L. Anderson is a long-term temporary employee of temporary employment service Cambridge Tempositions, Inc. During the week ending April 5, 2004, Ms. Anderson declined four different positions but accepted another position from Cambridge Tempositions during the following week.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Ms. Anderson's unemployment insurance benefits should be interrupted because of her failure to accept positions with Cambridge Tempositions during the week ending April 10, 2004. Having reviewed the evidence in the record, the administrative law judge concludes that benefits should be withheld for that week because Ms. Anderson could have been working. Since she accepted another assignment more to her liking the following week, the administrative law judge concludes that it would be inappropriate to impose on Ms. Anderson the requalification requirements of Iowa Code Section 96.5-3-a. Instead, the administrative law judge concludes that Ms. Anderson made herself unavailable for work during the week ending April 10, 2004. Benefits are withheld for that week only.

DECISION:

The unemployment insurance decision dated April 14, 2004, reference 02, is modified. Benefits are withheld for the week ending April 10, 2004 because the claimant was unavailable for work.

tjc/kjf