

amount was based on a guaranteed minimum of \$6.60 per hour and the claimant's production, which resulted in an average wage of \$7.15 per hour.

The claimant applied to work for the employer again in September. The employer offered the claimant her former job on September 22 or 23. The employer told the claimant she would not receive the \$7.15 per hour training bonus. Instead, she would earn a minimum of \$6.60 per hour and her wage would depend on her production. The employer did not anticipate any problem with the claimant earning the same hourly wage she had earned prior to August 9, 2005. The claimant accepted the employer's job offer.

On September 25, the claimant contacted the employer to report she had changed her mind and would not return to work for the employer. After the claimant had an opportunity to think, she concluded she would earn less than the amount she had earned prior to August 9, 2005.

The claimant had problems with her shoulders and she did not believe she would be able maintain her production levels. Also, the claimant did not believe she could maintain an 80 percent production level, which was a condition under which the employer rehired her. The claimant has had problems with her shoulders for a while, but she did not have any work restrictions. The employer did not notice any problems with her production prior to August 9, 2005.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she refuses an offer of suitable work without good cause. Iowa Code §96.5-3-a. The job was suitable since the employer offered the claimant her former job. The claimant initially accepted the employer's job offer and then declined it. The claimant declined the job because she would not receive the signing bonus of \$7.15 again. The employer did not offer this to the claimant because she was already trained and the claimant had been earning an average of \$7.15 based on her production prior to her employment separation. Even though the claimant asserted she did not believe she would be able to maintain an 80 percent production rate because of shoulder problems, she experienced shoulder problems prior to August 9 and she maintained the 80 percent production rate. The evidence does not establish she was unable to perform the same job she had performed prior to August 9. Without a work restriction or facts establishing the claimant could no longer perform the work she had done prior to August 9, the claimant failed to establish she declined an offer of suitable work with good cause. Therefore, as of September 25, 2005, the claimant is not qualified to receive unemployment insurance benefits.

DECISION:

The representatives' October 7, 2005 decision (reference 03) is reversed. The claimant declined an offer of suitable work without good cause. As of September 25, 2005, the claimant remains disqualified from receiving unemployment insurance benefits. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible.

dlw/kjf