

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AMANDA L NETTESHEIM**  
Claimant

**APPEAL NO. 13A-UI-07649-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SWIFT GREENHOUSES INC**  
Employer

**OC: 06/09/13**  
**Claimant: Respondent (1)**

871 IAC 24.24(8) – No Valid Claim

**STATEMENT OF THE CASE:**

The employer filed an appeal from a representative's decision dated June 25, 2013, reference 01, which held that the claimant was eligible to receive unemployment insurance benefits. After due notice, a hearing was held on August 19, 2013, by telephone conference call. The claimant responded to the hearing notice but was not available when called by the administrative law judge. The employer participated by Todd Swift. Official notice is taken of agency records.

**ISSUE:**

Whether the claimant had a valid unemployment insurance claim for benefits at the time she refused an offer of work on May 28, 2013.

**FINDINGS OF FACT:**

The administrative law judge, having considered all of the evidence in the record, makes the following findings of fact:

The claimant established an original claim for unemployment insurance benefits with an original claim date of June 9, 2013. The claimant refused an offer of suitable work with the employer on May 28, 2013. At the time she refused the offer of suitable work, she did not have a valid claim for unemployment insurance benefits.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 24.24(8) provides:

(8) Refusal disqualification jurisdiction. Both the offer of work or the order to apply for work and the claimant's accompanying refusal must occur within the individual's benefit year, as defined in subrule 24.1(21), before the Iowa code subsection 96.5(3) disqualification can be imposed. It is not necessary that the offer, the order, or the refusal occur in a week in which the claimant filed a weekly claim for benefits before the disqualification can be imposed.

The claimant did not refuse an offer of suitable work within her benefit year. The evidence showed that the work refusal occurred before she filed a valid claim for unemployment insurance benefits. As a result, no disqualification can be imposed for that reason.

**DECISION:**

The decision of the representative dated June 25, 2013, reference 01, is affirmed. The claimant did not refuse an offer of suitable work during a benefit year.

---

Vicki L. Seeck  
Administrative Law Judge

---

Decision Dated and Mailed

vls/pjs