

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AMANDA L STRIEF**  
Claimant

**APPEAL NO. 10A-UI-15831-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING INC**  
Employer

**OC: 12/20/09**  
**Claimant: Appellant (1)**

Section 96.4-3 – Able and Available for Work/Refusal of Suitable Work

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from a representative's decision dated November 10, 2010, reference 04, which denied unemployment insurance benefits. After due notice, a telephone hearing was held on May 9, 2011. Although duly notified, the claimant was not available at the telephone number provided. Employer participated by Colleen McGinty, Unemployment Insurance Benefits Administrator, and Kathy Hutchinson, Branch Manager.

**ISSUE:**

The issue is whether the claimant refused suitable work.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Amanda Strief was employed by L A Leasing assigned to work at M C Industries as an industrial sewer until July 8, 2010 when the claimant left for maternity leave.

After being fully released by her physician, Ms. Strief was offered work by L A Leasing at her regular job at M C Industries on September 2, 2010. The claimant was offered the same job, hours, and pay as she had previously worked. Ms. Strief declined the offer for personal reasons. Ms. Strief believed that future medical appointments might conflict with her employment. Ms. Strief was aware that she could have requested particular days off work if necessary for medical reasons. The claimant, nevertheless, declined the offer to return to work at her regular job.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes that the claimant refused an offer of suitable work. It does.

871 IAC 24.24(1)a provides:

(1) Bona fide offer of work.

a. In deciding whether or not a claimant failed to accept suitable work, or failed to apply for suitable work, it must first be established that a bona fide offer of work was made to the individual by personal contact or that a referral was offered to the claimant by personal contact to an actual job opening and a definite refusal was made by the individual. For purposes of a recall to work, a registered letter shall be deemed to be sufficient as a personal contact.

The evidence in the record establishes that Ms. Strief was offered her same job at the same pay, hours and duties on September 2, 2010. The claimant had been fully medically released by her physician to return to full employment but declined the offer of suitable work for personal reasons. Ms. Strief was aware that she could have requested specific days off work but instead declined to return to her previous employment through Sedona Staffing. The offer was personally communicated to Ms. Strief and the offer was suitable based upon the claimant's previous experience, pay and work history.

Based upon the evidence in the record, the administrative law judge concludes that the claimant refused without good cause an offer of suitable work made by L A Leasing d/b/a Sedona Staffing on September 2, 2010. Benefits are denied.

**DECISION:**

The representative's decision dated November 10, 2010, reference 04, is affirmed. Claimant refused an offer of suitable work. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, and meets all other eligibility requirements of Iowa law.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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