

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DALE R BARRETT
Claimant

APPEAL NO. 12A-UI-15257-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**MIDWEST CONSTRUCTION SERVICES INC
TRILLIUM CONSTRUCTION**
Employer

**OC: 11/04/12
Claimant: Appellant (2)**

Section 96.5-3-a – Work Refusal

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated December 21, 2012, reference 04, which held claimant ineligible for unemployment insurance benefits due to a refusal to accept work. After due notice, a telephone conference hearing was scheduled for and held on January 31, 2012. Claimant participated personally. Employer participated by Jacqui Morgan, Human Resource Assistant and Shae Fox, Regional Recruiter.

ISSUE:

The issue in this matter is whether claimant refused to accept a suitable offer of work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Employer made an offer of work to the claimant on December 4, 2012. That offer included the following terms: Full time work as a precision millwright in Detroit Michigan. Claimant's home is 591 miles from Detroit. Claimant declined the job because Detroit was too far to drive. Claimant usually worked a couple of hundred miles from home.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant did not refuse a suitable offer of work. The job was too far from claimant's home. Claimant had in the past worked a couple of hundred miles from his jobs. This job was over double what he would normally drive for a job. The work is not suitable base on the distance of travel.

18 157 158 160 refusal disqualification jurisdiction

DECISION:

The decision of the representative dated December 21, 2012, reference 04 is reversed. Claimant is eligible to receive unemployment insurance benefits, provided claimant meets all other eligibility requirements.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/