

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**DARRYL PRUITT**  
Claimant

**APPEAL NO. 15A-UI-05921-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CHARLES DRAKE & ASSOCIATES**  
Employer

**OC: 08/31/14**  
**Claimant: Respondent (1)**

Section 96.5-3-a – Refusal to Accept Suitable Work

**STATEMENT OF THE CASE:**

Charles Drake & Associates (employer) appealed a representative's May 12, 2015, decision (reference 04) that concluded Darryl Pruitt (claimant) eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for June 30, 2015. The claimant participated personally. The employer participated by Brenda Madison, Account Manager, and Charles Drake, Owner.

**ISSUE:**

The issue is whether the claimant refused suitable work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The employer is a temporary employment agency. The claimant worked for the employer as a temporary worker from December 21, 2014, through April 17, 2015, at two different assignments.

On April 30, 2015, the employer offered the claimant a full-time job paying \$18.00 per hour. The claimant refused the offer of work because he accepted a full-time job paying \$24.00 per hour at Trillium.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant is eligible to receive unemployment insurance benefits.

Iowa Admin. Code r. 871-24.24(7) provides:

(7) Gainfully employed outside of area where job is offered. Two reasons which generally would be good cause for not accepting an offer of work would be if the

claimant were gainfully employed elsewhere or the claimant did not reside in the area where the job was offered.

The law allows a claimant to refuse an offer of suitable work if he is employed. The claimant accepted work and was, therefore, employed elsewhere when the employer made the offer on April 30, 2015. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

**DECISION:**

The representative's May 12, 2015, decision (reference 04) is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/css