

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

EARL PRICE
PO BOX 1082
709 E 10TH ST
SPENCER IA 51301

EMPLOYMENT CONNECTIONS INC
PO BOX 324
SPENCER IA 51301-0324

Appeal Number: 04A-UI-01841-ET
OC 02-23-04 R 01
Claimant: Respondent (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.24(7) – Work Refusal

STATEMENT OF THE CASE:

The employer filed a timely appeal from the February 12, 2004, reference 06, decision that allowed benefits. After due notice was issued, a hearing was held by telephone conference call before Administrative Law Judge Julie Elder on March 10, 2004. The claimant participated in the hearing. James Kitterman, Owner and Deb Lenz, Sales Manager, participated in the hearing on behalf of the employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer made an offer of work to the claimant January 16, 2004. That offer included the

following terms: A full-time third shift laborer position at Pere Fishing earning \$8.90 per hour. The claimant declined the offer because he was working a part-time, third shift job at the Daily Reporter.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant had good cause for refusing the offer of work.

871 IAC 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 claimant declined the offer of work because he was already employed in a third-shift position at the Daily Reporter. Consequently, he had good cause for refusing the job offer and is not required to accept the offer of employment from Employment Connections.

DECISION:

The February 12, 2004, reference 06, decision is affirmed. The claimant had good cause for declining the employer's offer of work. Benefits are allowed provided the claimant is otherwise eligible.

je/kjf