

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ALISA A STEGNER**  
Claimant

**APPEAL NO. 10A-UI-13203-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AUREUS MEDICAL**  
Employer

**OC: 03/07/10**  
**Claimant: Appellant (4)**

Section 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

Alisa Stegner filed an appeal from a representative's decision dated September 20, 2010, reference 05, which denied benefits on a finding that she refused suitable work with Aureus Medical on August 12, 2010. After due notice was issued, a hearing was held by telephone on October 28, 2010. Ms. Stegner participated personally. The employer participated by Mark Engelbart, Regional Branch Manager.

**ISSUE:**

At issue in this matter is whether Ms. Stegner refused suitable work on August 12, 2010.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Stegner has been employed by Aureus Medical periodically over the course of several years. The employer provides temporary health care placements around the country. Ms. Stegner's most recent employment began in April of 2010. The placement process begins with Aureus Medical asking an individual if she wants to be considered for an available placement. If the individual is agreeable, an interview is then arranged with the facility seeking the worker. The facility makes the determination as to which individual will actually be offered the position.

Ms. Stegner completed an assignment on May 24, 2010. On August 12, she was offered the opportunity to interview for a position in Pittsburg, Pennsylvania. She declined the opportunity because she wanted to spend the next two weeks at home in Iowa with her husband. She did not ask any specifics about the job, such as when she might be expected to start.

**REASONING AND CONCLUSIONS OF LAW:**

An individual who refuses an offer of suitable work without good cause is disqualified from receiving job insurance benefits. Iowa Code section 96.5(3)a. Ms. Stegner was not offered work on August 12, only the opportunity to interview for possible work. It appears that she

would have had to compete with others for the available position. Since there was no actual job offer, she cannot be disqualified pursuant to section 96.5(3)a.

In order to receive job insurance benefits, an individual must be available for work. Iowa Code section 96.4(3). Ms. Stegner was not available to accept work on August 12 because she wanted to spend two weeks with her husband. Because she was taking time off for personal reasons, she was not entitled to job insurance benefits during those two weeks. Therefore, she is disqualified from August 15 through August 28, 2010.

**DECISION:**

The representative's decision dated September 20, 2010, reference 05, is hereby modified. Ms. Stegner did not refuse an offer of suitable work on August 12, 2010. She is, however, disqualified as being unavailable for work from August 15 through August 28, 2010. Benefits are allowed thereafter, provided she is not otherwise disqualified.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs