

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**YVONNE R DEGREVE**  
Claimant

**APPEAL NO. 13A-UI-13846-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING**  
Employer

**OC: 04/28/13  
Claimant: Respondent (5)**

Section 96.5-3-a – Work Refusal

**STATEMENT OF THE CASE:**

The employer filed an appeal from a representative's decision dated December 13, 2013, reference 03, which held that the claimant was eligible for unemployment insurance benefits. After due notice, a hearing was held on January 13, 2014. The claimant participated personally. The employer participated by Colleen McGinty, unemployment benefits administrator, and Mary Jo Gehn, clerical account manager. The record consists of the testimony of Colleen McGinty; the testimony of Mary Jo Gehn; the testimony of Yvonne DeGreve; and Employer's Exhibit 1.

**ISSUE:**

Whether the claimant refused an offer of suitable work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witnesses and having considered all of the evidence in the record, makes the following findings of fact:

The employer is a temporary staffing agency. The claimant accepted an assignment on June 13, 2013, with Pella Windows. The assignment ended on August 14, 2013. On November 11, 2013, the employer offered the claimant a temporary one-month job with a telemarketing firm. The claimant would earn \$12.00 per hour and the hours were between 8:00 a.m. and 5:00 p.m. The claimant did not accept the offer to interview for the job because she was working at Hy-Vee and her hours were during the day, Monday through Friday. She was working 30 hours per week for Hy-Vee.

**REASONING AND CONCLUSIONS OF LAW:**

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 is eligible for unemployment insurance benefits. The claimant did not accept the offer of work from the employer because she was gainfully employed with Hy-Vee and the hours offered by the temporary employer were during the time she worked for Hy-Vee. The claimant had good cause to refuse the offer of work.

**DECISION:**

The decision of the representative dated December 13, 2013, reference 03, is modified without effect. The claimant had good cause for refusing an offer of work from this employer.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/pjs