

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JEREMY G ANGELL
Claimant

APPEAL NO. 08A-UI-10263-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

RM ENTERPRISES INC
Employer

OC: 09/14/08 R: 02
Claimant: Respondent (1)

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

STATEMENT OF THE CASE:

RM Enterprises (employer) appealed a representative's October 22, 2008 decision (reference 01) that concluded Jeremy Angell (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 November 18, 2008. The claimant participated personally. The employer participated by Rhonda Coborn, President/Owner.

ISSUE:

The issue is whether the claimant refused an offer of suitable work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: On September 19, 2008, the employer offered the claimant a job at Crescent Park. The claimant refused the offer of work because he worked there previously. The supervisor wrongly terminated him. The claimant was afraid of the supervisor. If the claimant took the job he would see him at the shift change.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant did not refuse an offer of suitable work.

871 IAC 24.24(15)(a) Suitable work.

(15) In determining what constitutes suitable work, the department shall consider, among other relevant factors, the following:

a. Any risk to the health, safety and morals of the individual.

The claimant was offered work by a former employer. The claimant was afraid for his safety at that employer. The claimant refused the offer because it posed a risk to him. The work was not suitable. The claimant did not refuse an offer of suitable work. Benefits are allowed.

DECISION:

The representative's October 22, 2008 decision (reference 01) is affirmed. The claimant is eligible to receive unemployment insurance benefits so long as he is qualified.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/pjs