

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT K STOVER**  
Claimant

**APPEAL NO. 11A-UI-04960-A**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ROBERT HALF CORPORATION**  
Employer

**OC: 01/30/11**  
**Claimant: Appellant (2)**

Section 96.5-3-a – Refusal of Employment

**STATEMENT OF THE CASE:**

Robert K. Stover filed a timely appeal from an unemployment insurance decision dated April 7, 2011, reference 01, that disqualified him for benefits upon a finding that he had refused a suitable offer of work from Robert Half Corporation on February 17, 2011. After due notice was issued, a hearing was held in Des Moines, Iowa, May 23, 2011, with Mr. Stover participating. Division Director Chris Parker participated for Robert Half Corporation. The administrative law judge takes official notice of Agency claim records.

**ISSUE:**

Did the claimant refuse a suitable offer of work?

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Robert K. Stover filed a claim for unemployment insurance benefits effective January 30, 2011. The average weekly wage in the highest quarter of his base period is \$802.42. During the third week of his claim, he refused an offer of work from Robert Half Corporation that would have paid him \$720.00 per week.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the claimant refused an offer of suitable work as that term is defined in the Employment Security Law. He did not.

While the fact-finding decision indicates that the refusal occurred during the sixth through the twelfth week of Mr. Stover's most recent claim for unemployment insurance benefits, the evidence establishes that the offer and the refusal occurred in the third week. Iowa Code section 96.5-3-a defines a suitable offer of work in the first five weeks of unemployment as one that pays a minimum of 100 percent of the claimant's average weekly wage in the highest quarter of his or her base period. The wage offered by Robert Half Corporation fell below that standard. No disqualification may be imposed.

**DECISION:**

The unemployment insurance decision dated April 7, 2011, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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