

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GEORGE M DUCHARME**  
Claimant

**APPEAL NO: 13A-UI-00527-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**  
Employer

**OC: 04/22/12**  
**Claimant: Appellant (2)**

Iowa Code 96.5(3)a – Refusal of Suitable Offer of Work

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's January 8, 2013 determination (reference 04) that disqualified him from receiving benefits because he refused to accept the employer's December 6, 2012 offer of work. The claimant participated at the hearing. The employer did not respond to the hearing notice or participate in the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant is qualified to receive benefits as of December 9, 2012.

**ISSUE:**

Did the claimant refuse an offer of suitable work from the employer on December 6, 2012?

**FINDINGS OF FACT:**

The claimant registered to work for the employer's clients in April 2012. He started an on-going assignment at General Mills in August 2012.

On December 6, the claimant called the employer to find out if he was scheduled to work at General Mills. He then learned General Mills did not want him to return. Although the claimant did not find out why General Mills did not want him to return, the employer's representative asked the claimant if he would accept another assignment at Whirlpool. The representative did not provide any details about the Whirlpool assignment.

The claimant did not refuse the Whirlpool assignment. Instead, he asked the representative if the employer had a temp-to-hire assignment. The representative told the claimant she would have to check and she would get back to him. When the representative did not contact the claimant by December 10, he reopened his claim for benefits.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if he refuses an offer of suitable work without good cause. Iowa Code Section 96.5(3)a. Based on the evidence presented at the hearing, the claimant did not refuse an assignment at Whirlpool; he only asked

if the employer had a temp-to-hire assignment. Since the representative did not provide details about the Whirlpool assignment on December 6 and the employer did not participate at the hearing, the evidence does not establish that the assignment was suitable for the claimant. Also, he did not refuse the assignment. Therefore, as of December 9, the claimant is qualified to receive benefits.

**DECISION:**

The representative's January 8, 2013 determination (reference 04) is reversed. While the employer offered the claimant an assignment at Whirlpool, the evidence does not establish that this job was suitable for the claimant. Even though the claimant asked if the employer had a temp-to-hire position, he did not refuse the Whirlpool assignment. The claimant is qualified to receive benefits as of December 9, 2012, provided he meets all other eligibility requirements.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/tll