

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JASON R SCHULTZ**  
Claimant

**APPEAL NO. 09A-UI-15361-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEMPS NOW HEARTLAND**  
Employer

**Original Claim: 09/13/09  
Claimant: Respondent (1)**

Section 96.5(3)a – Refusal of Work

**STATEMENT OF THE CASE:**

Temps Now Heartland filed an appeal from a representative's decision dated October 5, 2009, reference 01, which held that no disqualification would be imposed regarding Jason Schultz' June 8, 2009 refusal of work. After due notice was issued, a hearing was held by telephone on November 13, 2009. The employer participated by Shae Munson, Senior Recruiter, and was represented by Patricia Vaughn of Personnel Planners, Inc. Mr. Schultz responded to the notice of hearing but was not available at the number provided at the scheduled time of the hearing.

**ISSUE:**

At issue in this matter is whether Mr. Schultz refused an offer of suitable work and, if so, whether the refusal was for good cause.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Schultz last performed services for Temps Now Heartland on June 1, 2009. On June 8, he was offered a three-day assignment with Milan Flowers. He declined the offer because he wanted to work on his car. Mr. Schultz' claim for job insurance benefits was filed effective September 13, 2009.

**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. However, Workforce Development has no jurisdiction over work refusals that occur prior to the filing of a claim for job insurance benefits. 871 IAC 24.24(8). Mr. Schultz refused work with Temps Now Heartland on June 8, 2009. He did not have an old claim in effect at the time and did not file his current claim until September of 2009. Inasmuch as he did not have a valid claim for benefits in effect at the time of the refusal, he cannot be disqualified from receiving benefits because of the refusal.

**DECISION:**

The representative's decision dated October 5, 2009, reference 01, is hereby affirmed. No disqualification is imposed as a result of Mr. Schultz' refusal of work on June 8, 2009, as he did not have a valid claim for job insurance benefits in effect at the time. Benefits are allowed, provided he is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw