

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEBRA ECKHOFF**

Claimant

**APPEAL NO. 08A-UI-04185-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PRESS-CITIZEN COMPANY INC**

Employer

**OC: 02/10/08 R: 03  
Claimant: Respondent (1)**

Section 96.5(3)a – Refusal of Work

**STATEMENT OF THE CASE:**

Press-Citizen Company, Inc. filed an appeal from a representative's decision dated April 23, 2008, reference 01, which held that no disqualification would be imposed regarding Debra Eckhoff's March 14, 2008 refusal of work. After due notice was issued, a hearing was held by telephone on May 13, 2008. Ms. Eckhoff participated personally. The employer participated by Susan Fry, Human Resources Director, and Jim Lewers, Managing Editor.

**ISSUE:**

At issue in this matter is whether Ms. Eckhoff refused an offer of suitable work on March 14, 2008.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Eckhoff has never been employed by Press-Citizen Company, Inc. She made application for a part-time administrative assistant position in February of 2008. She did not get the position, but her resume was retained by the employer.

On or about March 13, Ms. Eckhoff was offered a part-time position as a news assistant. The position was for 20 hours each week and the final pay offered was \$13.00 per hour. Ms. Eckhoff declined the position on March 14 because the wages were insufficient to meet her financial needs.

Ms. Eckhoff filed a claim for job insurance benefits effective February 10, 2008. The average weekly wage paid to her during that quarter of her base period in which her wages were highest exceeded \$1,000.00.

**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. For reasons that follow, the

administrative law judge concludes that the work offered to Ms. Eckhoff by Press-Citizen Company, Inc. on March 13, 2008 was not suitable work within the meaning of the law. The work was offered during the fifth week following the filing of her claim effective February 10, 2008. As such, the job had to pay at least 100 percent of the average weekly wage paid to her during that quarter of her base period in which her wages were highest. In other words, the job had to pay at least \$1,000.00 per week in order to be considered suitable work within the meaning of the law.

The work offered to Ms. Eckhoff on March 13 paid only \$260.00 per week as a part-time job or \$520.00 if the wages were converted to full-time pay. Because the job did not pay the requisite wages, it was not suitable work. An individual is free to accept work the law does not consider suitable. However, no disqualification is imposed if such work is declined. For the reasons stated herein, the administrative law judge concludes that Ms. Eckhoff's March 14, 2008 refusal of work was not a disqualifying event. Accordingly, benefits are allowed. Inasmuch as she has never worked for Press-Citizen Company, Inc., the employer's account is not subject to charges for benefits paid to Ms. Eckhoff.

**DECISION:**

The representative's decision dated April 23, 2008, reference 01, is hereby affirmed. No disqualification is imposed, as Ms. Eckhoff did not refuse an offer of suitable work, as that term is defined by law. Benefits are allowed, provided she satisfies all other conditions of eligibility, but shall not be charged to Press-Citizen Company, Inc.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw