

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**ROBBIE M QUINN
902 W MILLS ST
CRESTON IA 50801**

**ADVANCE SERVICES INC
% TALX UC EXPRESS
PO BOX 66864
ST LOUIS MO 63166-6864**

**Appeal Number: 04A-UI-09192-CT
OC: 07/11/04 R: 03
Claimant: Respondent (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(3)a – Refusal of Work

STATEMENT OF THE CASE:

Advance Services, Inc. (ASI) filed an appeal from a representative's decision dated August 17, 2004, reference 02, which held that no disqualification would be imposed regarding Robbie Quinn's June 17, 2004 refusal of work. After due notice was issued, a hearing was held by telephone on October 8, 2004. Mr. Quinn participated personally. The employer participated by Tracy Smith, Human Resources Coordinator.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all the evidence in the record, the administrative law judge finds: Mr. Quinn began working through ASI on April 27, 2004. He completed an assignment on June 16. On June 17, he was offered work with Wassau Homes and Plumb Building Systems. Both jobs were for full-time hours and could have resulted in regular employment with the client companies. The job at Wassau Homes paid \$10.00 per hour. The job with Plumb Building systems paid \$8.00 per hour. Both jobs required skills in using hand tools and tape measures, as both jobs were in the carpentry field. Mr. Quinn declined the offers because he did not feel he had the necessary skills. He was given no indication that the positions could be filled by an unskilled individual. Mr. Quinn had not performed this type of work in the past.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether any disqualification should be imposed as a result of Mr. Quinn's refusal of work. An individual who refuses an offer of suitable work is disqualified from receiving job insurance benefits. Iowa Code section 96.5(3)a. Mr. Quinn declined the work on June 17 because he did not feel he had the skills that Wassau Homes or Plumb Building Systems was seeking. If either employer was willing to accept and train an unskilled individual, Mr. Quinn should have been so advised so that he could determine if he still wanted to decline the offer. Inasmuch as he was not so advised, the administrative law judge concludes that he did not have the skills required for the jobs. As such, he had good cause for refusing the work. Accordingly, no disqualification is imposed for the refusal.

DECISION:

The representative's decision dated August 17, 2004, reference 02, is hereby affirmed. Mr. Quinn had good cause for refusing the work offered on June 17, 2004. Benefits are allowed, provided he satisfies all other conditions of eligibility.

cfc/kjf