

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

PAUL W TEICHLER SR  
PO BOX 203  
PRESTON IA 52069

L A LEASING INC  
SEDONA STAFFING  
612 VALLEY DR  
MOLINE IL 61265

Appeal Number: 04A-UI-06370-CT  
OC: 11/23/03 R: 04  
Claimant: Appellant (2)

**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, 4<sup>th</sup> 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.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5(3)a – Refusal of Work

STATEMENT OF THE CASE:

Paul Teichler filed an appeal from a representative's decision dated June 3, 2004, reference 02, which denied benefits on a finding that he had refused suitable work with Sedona Staffing. After due notice was issued, a hearing was held by telephone on July 7, 2004. Mr. Teichler participated personally. The employer participated by Colleen McGuinty, Unemployment Benefits Administrator.

#### 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. Teichler began working through Sedona Staffing on January 12, 2004 and was assigned to work at Web Printing. He worked on the assignment until it was completed on May 1. On May 3, he was offered further work with Web Printing for May 3, 5, and 6. There would have been eight hours of work on each of the three days at an hourly rate of \$7.50. Mr. Teichler notified Sedona Staffing that he had accepted work elsewhere and was awaiting the results of a drug screen for the new employer. He indicated he would leave the assignment if his new job started before he completed the work at Web Printing. The Sedona Staffing representative suggested that Mr. Teichler's wife work the May dates as she had also worked for Web Printing. Therefore, Mr. Teichler did not work for Sedona Staffing the week ending May 8, 2004.

Mr. Teichler filed an additional claim for job insurance benefits effective April 11, 2004. The average weekly wage paid to him during that quarter of his base period in which his wages were highest was \$234.31.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Teichler refused suitable work and, if so, whether any disqualification should be imposed as a result. An individual who refuses an offer of suitable work is disqualified from receiving job insurance benefits. Iowa Code Section 96.5(3)a. The work at issue was offered to Mr. Teichler during the fourth week of unemployment following the filing of his additional claim effective April 11, 2004. Therefore, in order to be considered suitable work, the job had to pay at least 100 percent of the average weekly wage paid to him during that quarter of his base period in which his wages were highest. In other words, the job had to pay at least \$234.31. Inasmuch as the assignment only paid \$180.00 (24 hours x \$7.50/hour) for the week, it was not suitable work within the meaning of the law. As such, the administrative law judge need not determine if Mr. Teichler actually refused the work.

The administrative law judge concludes from the evidence that Mr. Teichler was not offered suitable work on May 3. Accordingly, no disqualification is imposed.

#### DECISION:

The representative's decision dated June 3, 2004, reference 02, is hereby reversed. No disqualification is imposed as Mr. Teichler was not offered suitable work by Sedona Staffing on May 3, 2004. Benefits are allowed, provided he satisfies all other conditions of eligibility.

cfc/kjf