

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PAMELA J RUDY**  
Claimant

**APPEAL NO: 15A-UI-00028-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADVANCE SERVICES INC**  
Employer

**OC: 11/23/14**  
**Claimant: Respondent (1)**

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

**PROCEDURAL STATEMENT OF THE CASE:**

The employer appealed a representative's December 30, 2014 (reference 05) determination that held the claimant qualified after she refused the employer's job offer. The claimant participated at the January 27 hearing. Michael Payne, the risk manager, appeared on the employer's behalf. During the hearing, Employer Exhibits One and Two were offered and admitted as evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant remains qualified to receive benefits after declining the employer's offer of work that was not suitable for her.

**ISSUE:**

Did the employer offer the claimant a suitable job?

**FINDINGS OF FACT:**

The claimant established a claim for benefit during the week of November 23, 2014. She established this claim after she completed a job assignment during this week. At this job, she scanned documents into computers (Employer Exhibit Two). Any typing the claimant needed to do, she accomplished with her hunt and peck method. Typing at this job was minimal. The claimant did not do any telephone work.

In 2012 the claimant worked at CDS Global. At this assignment she opened mail. She did not do any computer or phone work. On December 2, 2014 R.W. offered the claimant a job at CDS Global to work at this client's call center. The job would be full time during training and after completing the training the claimant would work 30 hours a week. The assignment paid \$9.50 an hour. The claimant understood typing was involved in this job and CDS Global required employees to type a minimum of 25 words a minute. The claimant agreed to take a typing test. The claimant does not know much about computers and does not know how to go back and forth from one screen to another on a computer.

On December 4 the claimant gave R.W. the results of her typing test. The claimant's test results indicated she could type 19 words a minute with her hunt and peck method. After the claimant turned in her typing test, she understood she did not meet CDS Global's typing skill

requirement. P.W. did not tell the claimant that CDS Global would accept her at this assignment even with her typing test results. The claimant asked about other jobs at CDS Global but there were none. The claimant contacted R.W. on December 5 and asked if the employer had any other assignments available in the area and was told no.

R.W. noted that the claimant declined the job at CDS Global because she had an infection in a finger from a cat bite and may need additional surgery. The claimant did not require any additional medical treatment for the cat bite she received in late October. R.W. did not note that the claimant's typing test disqualified her from accepting the job as an inbound customer service representative at CDS Global.

### **REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if an employer offers her suitable work and she declines this work without good cause. Iowa Code § 96.5(3). Factors that must be considered to determine if an offer of work is suitable include: prior training, length of unemployment, and the claimant's customary occupation. Iowa Code § 96.5(3)a.

Since R.W. did not testify at the hearing, the claimant's testimony that she was told if she did not type at least 25 words a minute she did not meet CDS Global's typing requirement is credible and undisputed. Also, the claimant is not computer literate and has not worked as a customer service representative at a call center before. Since the claimant had been unemployed for just a week, this factor in addition to the lack of her typing skills and computer knowledge establish that this job offer was not suitable for the claimant. Therefore, the claimant remains qualified to receive benefits when she declined the employer's job offer that was not suitable for her.

### **DECISION:**

The representative's December 30, 2014 (reference 05) determination is affirmed. The claimant did not accept the employer's December 2, 2014 offer of work because it was not suitable for her. The claimant remains qualified to receive benefits.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/can