

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JULIE A PAYNE**

Claimant

**APPEAL NO. 07A-UI-06076-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**COMMUNITY ACTION OF EASTERN IOWA**

Employer

**OC: 05/27/07 R: 04  
Claimant: Respondent (1)**

Section 96.5(3)a – Refusal of Work

**STATEMENT OF THE CASE:**

Community Action of Eastern Iowa (CAEI) filed an appeal from a representative's decision dated June 14, 2007, reference 01, which held that no disqualification would be imposed regarding Julie Payne's refusal of work on May 25, 2007. After due notice was issued, a hearing was held by telephone on July 3, 2007. Ms. Payne participated personally. The employer participated by Pamela damHorst, Benefits Administrator.

**ISSUE:**

At issue in this matter is whether any disqualification should be imposed for Ms. Payne's work refusal.

**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. Payne has been employed by CAEI since September of 1998. She usually works full time as a Head Start teacher and last performed services on May 25, 2007, the end of the school year. She does not ordinarily work during the summer months.

On or about May 25, 2007, Heidi Schlueter, program director, spoke to Ms. Payne about working during the summer. Ms. Payne understood that the position involved advising other Head Start teachers on methods of classroom control. She did not feel qualified to advise others and, therefore, declined the summer position.

**REASONING AND CONCLUSIONS OF LAW:**

An individual who refuses an offer of suitable work is disqualified from receiving job insurance benefits. Iowa Code section 96.5(3)a. The employer testified that the summer position offered to Ms. Payne was the same job she performed during the school year. However, Ms. Payne had a good-faith belief, based on the explanation given her, that the position involved advising and/or instructing other Head Start teachers. The employer did not present testimony from the individual who actually made the offer to Ms. Payne.

Because Ms. Payne had a good-faith belief that she was not qualified for the position, the administrative law judge concludes that she had good cause for the refusal. As such, no disqualification is imposed.

**DECISION:**

The representative's decision dated June 14, 2007, reference 01, is hereby affirmed. Ms. Payne had good cause for refusing the work offered by CAEI on May 25, 2007. Benefits are allowed, provided she satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw