

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**EMLYN G ALTMAN**  
Claimant

**APPEAL NO. 14A-UI-09028-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FERGUSON ENTERPRISES INC**  
Employer

**OC: 01/12/14**  
**Claimant: Respondent (1)**

Section 96.5-3-a – Refusal of Suitable Work

**STATEMENT OF THE CASE:**

Ferguson Enterprises (employer) appealed a representative's August 14, 2014 decision (reference 03) that concluded Emlyn Altman (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for September 18, 2014. The claimant did not provide a telephone number for the hearing and, therefore, did not participate. The employer participated by Beth Tellier, Human Resources Analyst.

**ISSUE:**

The issue is whether the claimant refused an offer of suitable work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed her claim for unemployment insurance benefits on January 12, 2014. The employer has no record of offering work to the claimant on July 10, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant refused an offer of suitable work. For the following reasons the administrative law judge concludes she did not.

Iowa Admin. Code r. 871-24.24(1)a provides:

(1) Bona fide offer of work.

a. In deciding whether or not a claimant failed to accept suitable work, or failed to apply for suitable work, it must first be established that a bona fide offer of work was made to the individual by personal contact or that a referral was offered to the claimant by personal contact to an actual job opening and a definite refusal was made by the

individual. For purposes of a recall to work, a registered letter shall be deemed to be sufficient as a personal contact.

No offer of work was made to the claimant. The claimant is qualified to receive benefits because no offer of work was made to the claimant.

**DECISION:**

The representative's August 14, 2014, decision (reference 03) is affirmed. The claimant is qualified to receive benefits.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

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