

ISSUE:

Did the claimant refuse an offer of work for reasons that disqualify him from receiving benefits?

FINDINGS OF FACT:

The claimant started working for the employer on August 4, 2002. The employer hired the claimant as a processor, but within two weeks of employment the claimant bid to work as a CDL driver. The claimant started working as a CDL driver on August 14, 2002. The claimant earned \$13.05 an hour as a CDL driver. Since the claimant worked the D-shift, 8:00 p.m. to 8:00 a.m., he received another 50-cents an hour. After the employer eliminated the claimant's job as a CDL driver, the employer offered him a job as a processor.

The processor job paid \$12.26 an hour, and if the claimant worked the D-shift he would also receive an additional 50-cents an hour. The processing job did not require any driving. Instead, the claimant would be working on the production line and packaging the finished product.

The claimant established a claim for unemployment insurance benefits during the week of August 14, 2005. The claimant's average weekly wage based on wages he earned during his highest quarter is \$596.48. The claimant declined the employer's offer of work as a processor because of the wages and the change of job duties.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he refuses an offer of suitable work without good cause. In determining whether a job is suitable, the Department must consider the claimant's prior training, the length of unemployment, and the prospects of securing work in the claimant's usual occupation. The Department must also consider the wages offered when deciding if a job offer is suitable. To be a suitable job offer the wages offered must equal 100 percent of the claimant's average weekly wage when work is offered during the first five weeks of unemployment insurance benefits. Iowa Code §§ 96.5-3-a.

The wages the employer offered the claimant to work as a processor do not amount to \$596.48 per week. Also, the employer offered the claimant a job that was substantially different than working as a CDL driving. Under the facts of this case, the employer's offer to work as a processor is not suitable for the claimant. Therefore, the claimant declined the employer's job offer with good cause.

DECISION:

The representative's October 19, 2005 decision (reference 03) is affirmed. The claimant declined the employer's offer of work with good cause. As of October 2, 2005, the claimant is qualified to receive unemployment insurance benefits, provided he meets all other eligibility requirements.

dlw/kjw