

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

JASON J THOMPSON
1517 – 30TH AVE #4
SILVIS IL 61282

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

Appeal Number: 05A-UI-03721-DWT
OC: 03/20/05 R: 12
Claimant: Respondent (1)

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, 4th 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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.7-2(a)(2) – Employer Liability

STATEMENT OF THE CASE:

Sedona Staffing (employer) appealed a representative's April 5, 2005 decision (reference 03) that concluded the employer's account could not be relieved from charges based on Jason J. Thompson's receipt of unemployment insurance benefits from Illinois. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 28, 2005. The claimant failed to respond to the hearing notice by contacting the Appeals Section prior to the hearing and providing the phone number at which he could be contacted to participate in the hearing. As a result, no one represented the claimant. Colleen McGuinty and Deanne Britton appeared on the employer's account. Based on the evidence, the arguments of the employer, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the employer's account relieved from charge?

FINDINGS OF FACT:

The claimant registered to work for the employer. The claimant most recently completed a job assignment for the employer on February 21, 2005. The claimant established a claim in Illinois during the week of March 20, 2005.

On March 29, 2005, the employer contacted the claimant and offered him a long-term assignment. The job paid \$7.00 an hour. The claimant declined the job assignment because he did not have transportation or a way to get to the job site.

REASONING AND CONCLUSIONS OF LAW:

When a claimant declines an offer of work without good cause, the employer's account is relieved from charge. Iowa Code §96.7-2(a)(2). The facts establish the claimant had good cause to decline the offer of work because he was not available to work since he did not have transportation to get to this job site. Therefore, the employer's account cannot be relieved from charge.

DECISION:

The representative's April 5, 2005 decision (reference 03) is affirmed. The employer's account cannot be relieved from charge.

dlw/s