

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SHANIECE L CARTER**  
Claimant

**APPEAL NO.: 09A-UI-09920-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OFFICE TEAMS**  
Employer

**Original Claim: 04/05/09  
Claimant: Appellant (2)**

Section 96.5-3-a – Refusal to Accept a Suitable Referral

**STATEMENT OF THE CASE:**

Shaniece L. Carter (claimant) appealed a representative's July 2, 2009 decision (reference 02) that concluded she was not eligible to receive benefits as of June 4, 2009, because she refused to accept a referral of suitable work from Office Teams (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on July 28, 2009. The claimant participated in the hearing. The employer did not respond to the hearing notice or participate in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant refuse to accept a referral to a suitable job on June 4, 2009?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of April 5, 2009. The claimant filed applications with several temporary employment firms, including the employer. The claimant has previously worked in customer service where she contacted people, but primarily performed data entry work. The claimant is not comfortable talking to people over the phone and prefers data entry work with limited phone calls. The claimant is sensitive and finds it very difficult to talk to people who are upset.

On June 3, 2009, the claimant talked to another temporary employment firm and asked questions about different customer service job assignments. This temporary employment firm representative told the claimant that with her limited experience, she would be assigned to a job that required her to answer preliminary questions and change customers' accounts. She would not be assigned to a job that required her to work with upset customers or who had benefit issues, collection issues, or mortgage problems.

On June 4, the employer talked to the claimant about a customer service job involving benefits. The claimant told the representative she had been previously told she was not a good candidate to do this type of work. As the claimant tried to explain what she had been told by another

temporary employment firm representative, the employer concluded the claimant would not accept the referral to this job. The claimant told the employer's representative that she preferred a job without any phone work.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she refuses to accept an offer of suitable work without good cause. Iowa Code § 96.5-3-a. Even though the claimant had not worked since the week ending May 23, the potential job, as the claimant described it, was not suitable for her. She remains qualified to receive benefits as of June 4, 2009.

**DECISION:**

The representative's July 2, 2009 decision (reference 02) is reversed. The job the employer referred or offered the claimant was not suitable for her. Therefore, the claimant remains qualified to receive benefits as of June 4, 2009.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw