

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CAROLYN A YEOMAN

Claimant

APPEAL NO. 12A-UI-14336-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

HEALTHY CONNECTIONS INC

Employer

OC: 10/28/12

Claimant: Respondent (1)

Section 96.5-3-a – Work Refusal

STATEMENT OF THE CASE:

The employer filed an appeal from a decision of a representative dated November 28, 2012, reference 02, which held that the claimant was eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on January 18, 2013. The claimant participated personally. The employer participated by Rachel Owens, Assistance Executive Director. The record consists of the testimony of Carolyn Yeoman and the testimony of Rachel Owens.

ISSUE:

Whether the claimant refused an offer of suitable work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony of the witnesses and having considered all of the evidence in the record, makes the following findings of fact:

The claimant worked as a primary nurse providing in home care for one family. The claimant was discharged by the family after she gave some water to a dog that was in the home. The claimant was then offered a job on October 29, 2012 either in Perry, Iowa, or Winterset, Iowa. The claimant lives in Ottumwa. The commute to Perry, Iowa, would have been 220 miles and the commute to Winterset, Iowa, would have been 250 miles. The claimant felt that this commute was too long and declined the work offers.

REASONING AND CONCLUSIONS OF LAW:

The claimant is eligible for unemployment insurance benefits. Although the claimant did refuse an offer of work from the employer, the claimant had a good reason for this refusal. Iowa law states that one reason which would generally be good cause for not accepting an offer of work is that the claimant did not reside in the area where the job was offered. 871 IAC 24.27(7) In this case, the claimant resided in Ottumwa, Iowa. She was offered jobs in Perry, Iowa, and Winterset, Iowa, which would have involved commutes of over 200 miles. It is not reasonable to expect the claimant to make such long commutes, even though the employer paid mileage. The

claimant had good cause for refusing the jobs offered to her by the employer. Benefits are allowed, provided the claimant meets all other eligibility requirements.

DECISION:

The decision of the representative dated November 28, 2012, reference 02, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/tll