

November 18, 2003 and has worked periodically since that time. On June 30, 2005, he completed an assignment with Barilla America. On July 1, he gave verbal and written notice that he was available to accept work the following week. To avoid receiving numerous telephone calls from workers, the employer has devised a system whereby the worker notes his availability on the weekly time card. Mr. Hodges wrote on his time card submitted on July 1 that he was available the week of July 4. He also spoke to a Helping Hands representative on July 1 to give verbal notice of his availability. No work was available at that time.

Mr. Hodges' next contact with the employer was on July 25 when he again gave notice that he was available for work. On July 29, he was offered two days of work with Barilla America. The work was for a total of 16 hours at \$10.00 per hour. Mr. Hodges declined the work because he did not have insurance on his vehicle and, therefore, could not drive from his home in Boone to the work location in Ames. He was contacted regarding work on August 12 but was no longer available as he had accepted full-time work elsewhere.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Hodges was separated from employment for any disqualifying reason. He completed his last assignment and sought reassignment within three working days of the end of the assignment. He completed his assignment on June 30 and sought reassignment on July 1. The employer did not have other work available for him on July 1. Mr. Hodges was not required by Iowa Code section 96.5(1)j to continue seeking work through Helping Hands. Continued contact may have been a requirement for continued placement in assignments by Helping Hands. However, continued contact is not a requirement for the receipt of job insurance benefits. See 871 IAC 24.26(19). Inasmuch as Mr. Hodges completed his last assignment and sought reassignment within three working days thereafter, his separation was not a disqualifying event.

Mr. Hodges declined two days of work on July 29. However, he was not available for work because he could not drive to and from where the work was located. A refusal-of-work disqualification is not imposed if the individual is not available for work at the time the work is offered. See 871 IAC 24.24(4). Mr. Hodges was not available for two days during the week containing July 29. Because he remained available to work the major portion of the work week, no disqualification is imposed. The fact that he did not have auto insurance did not prevent him from working at other job sites as he is currently employed but does not need to drive his own vehicle.

After considering all of the evidence, the administrative law judge concludes that there is no basis on which to disqualify Mr. Hodges from receiving job insurance benefits.

The administrative law judge notes that there is a refusal-of-work disqualification outstanding. According to the employer, Mr. Hodges earned \$2,537.60 in insured wages during the second calendar quarter of 2005. These wages are sufficient to requalify Mr. Hodges for benefits after the April 20, 2005, reference 01, disqualification imposed because of a March 30, 2005 refusal of work with Helping Hands. This matter shall be remanded to Claims to issue a decision requalifying Mr. Hodges for benefits.

DECISION:

The representative's decision dated August 22, 2005, reference 02, is hereby affirmed. Mr. Hodges was separated from Helping Hands for no disqualifying reason. Benefits are

allowed, provided he satisfies all other conditions of eligibility. This matter is remanded to Claims to issue a determination regarding Mr. Hodges' requalification for benefits after the March 30, 2005 refusal of work with Helping Hands.

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