

BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building  
Fourth floor  
Des Moines, Iowa 50319

---

RONALD E BAGLEY

Claimant,

and

DES STAFFING SERVICES INC

Employer.

:  
:  
:  
:  
:  
:  
:  
:  
:

HEARING NUMBER: 08B-UI-01660

EMPLOYMENT APPEAL BOARD  
DECISION

**NOTICE**

**THIS DECISION BECOMES FINAL** unless (1) a **request** for a **REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

**SECTION: 96.5-1-j**

**DECISION**

**UNEMPLOYMENT BENEFITS ARE ALLOWED IF OTHERWISE ELIGIBLE**

The employer appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, the administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED** with the following **MODIFICATION**:

The Employment Appeal Board would modify the administrative law judge's Reasoning and Conclusions of Law as follows:

The employer satisfied the notification requirements set forth in Iowa Code section 96.5(1)"j". The claimant, in keeping with the employer's notification requirements, contacted the employer on numerous occasions (January 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup>, 2008) once his assignment ended on January 4<sup>th</sup>, 2008. The employer contacted the claimant on January 29<sup>th</sup> with an offer of work, which he promptly accepted; however, the employer called several hours later to retract the offer. (Tr. 5-6) The employer did not refute this testimony.

---

Elizabeth L. Seiser

---

Mary Ann Spicer

---

John A. Peno

AMG/fnv