

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ALEXANDRIA G SCHRANK
Claimant

APPEAL NO. 10A-UI-16458-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

STREAM INTERNATIONAL INC
Employer

OC: 08-15-10
Claimant: Respondent (1)

Iowa Code § 96.5(3)a – Work Refusal
871 IAC 24.24(1)a – Bona Fide Offer of Work

STATEMENT OF THE CASE:

The employer filed a timely appeal from the November 22, 2010, reference 05, decision that allowed benefits. After due notice was issued, a hearing was held on January 19, 2011. The claimant did not participate. The employer did participate through Staci Albert, Human Resources Generalist.

ISSUE:

Did the claimant refuse a suitable offer of work?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was going through the interview process with Stream International but was never offered any work by Stream because she did not show up for her final interview on October 4, 2010. The claimant never worked for this employer.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant did not refuse a suitable offer of work.

871 IAC 24.24(1)a provides:

(1) Bona fide offer of work.

a. In deciding whether or not a claimant failed to accept suitable work, or failed to apply for suitable work, it must first be established that a bona fide offer of work was made to the individual by personal contact or that a referral was offered to the claimant by personal contact to an actual job opening and a definite refusal was made by the individual. For purposes of a recall to work, a registered letter shall be deemed to be sufficient as a personal contact.

Since no offer of work was ever made to the claimant, there can be no finding that she ever refused a suitable offer of work. Since the claimant never worked for this employer, they shall not be charged for any benefits. Benefits are allowed, provided the claimant is otherwise eligible.

DECISION:

The November 22, 2010, reference 05, decision is affirmed. The claimant did not refuse a suitable offer of work. Benefits are allowed, provided the claimant is otherwise eligible. The account of Stream International, Inc. shall not be charged.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/kjw