

ISSUE:

Did the claimant refuse an offer of work without good cause?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of June 26, 2005. Prior to establishing her claim for benefits, the claimant earned \$16.50 an hour as a customer service representative. The claimant only worked part-time. The last day the claimant worked was June 20, 2005. Before the claimant became unemployed, she and her daughter were covered under another person's health insurance. The claimant's average weekly wage during the highest quarter in her base period is \$344.18.

The claimant applied for a job with the employer. The employer offered the claimant a full-time job at the employer's Southside location. The employer offered the claimant \$7.00 an hour to work as a customer service representative. The claimant lives about 20 miles from the work site location. When the claimant worked before, she drove 15 miles to work. Before the employer's health insurance would cover the claimant and her daughter, the claimant needed to wait 60 days or 6 months.

The claimant declined the employer's offer of work primarily because she would not have any health coverage for daughter for possibly six months. Once the claimant started working full-time she would lose insurance provided by the state for her daughter. The claimant's daughter has a medical condition, which requires regular medication. The claimant also considered the number of miles she would be driving to work, but this was not a major consideration.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she fails without good cause to accept an offer of suitable work. One of the factors considered is whether the wages offered equals or exceeds 75 percent of the claimant's base period wages when a claimant has been unemployed for the 6 through 12 weeks. Iowa Code §96.5-3-a.

The claimant was able to and available for work in late August. When the employer offered the claimant the job, the claimant had been unemployed for ten weeks. The employer offered to pay her \$280.00 per week. Seventy-five percent of the claimant's average weekly wage during her base period equals \$258.00. The wage the employer offered is suitable for the claimant. Even though the claimant had been earning \$16.50 per hour, she only worked part-time. The law is based on the average weekly wage during the highest quarter of wages during a claimant's base period, not the hourly wage. To use a claimant's hourly wage when she is only working part-time could put the claimant in a better position being unemployed than when she was working. Based on the employer's wages, the claimant's prior work experience and the distance from the claimant's home, the employer offered the claimant suitable work for unemployment insurance purposes.

The claimant primarily declined the job because her daughter would not be covered under any insurance for a period of time. Even though this reason is a compelling personal reason for declining an offer of suitable work, this reason does not amount to good cause refusing an offer of suitable work.

DECISION:

The representative's September 9, 2005 decision (reference 02) is affirmed. The claimant refused an offer of suitable work without good cause. The claimant is disqualified from receiving unemployment insurance benefits as of August 21, 2005. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible.

dlw/pjs