

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

KIMBERLY R PICKENS
Claimant

APPEAL NO. 18A-UI-09371-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WALMART INC
Employer

OC: 06/10/18
Claimant: Respondent (1)

Iowa Code Section 96.5(3)(a) – Refusal of Suitable Work

STATEMENT OF THE CASE:

The employer filed a timely appeal from the August 29, 2018, reference 04, decision that allowed benefits to the claimant provided she was otherwise eligible, based on the Benefits Bureau deputy's conclusion that Walmart did not offer the claimant employment on July 18, 2018. After due notice was issued, a hearing was held on September 26, 2018. Claimant Kimberly Pickens did not respond to the hearing notice instructions to register a telephone number for the hearing and did not participate. Angel Thompson represented the employer. The administrative law judge took official notice of the following Agency administrative records: continued claims (KCCO) and quarter wage record (WAGE-A).

ISSUE:

Whether the claimant refused an offer of suitable work on or about July 18, 2018 without good cause.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Kimberly Pickens established an original claim for unemployment insurance benefits that was effective June 10, 2018 and filed weekly unemployment insurance claims that included a claim for the week of July 15-21, 2018. Walmart did not make an offer of employment to Ms. Pickens during that week or any other relevant week. Walmart is not a base period employer in connection with the claim.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(3)(a) provides that a claimant will be disqualified for benefits if the claimant refuses an offer of suitable employment without good cause during the claimant's claim year. Walmart made no offer of work during the week of July 15-21, 2018 or any other week of the claim. Accordingly, there was no associated work refusal. Ms. Pickens is eligible for benefits, provided she meets all other eligibility requirements.

DECISION:

The August 29, 2018, reference 04, decision is affirmed. The named employer in interest made no offer of employment to the claimant, and the claimant refused no offer of employment from that employer, during the week of July 15-21, 2018 or another other week of the claim. The claimant is eligible for benefits, provided she meets all other eligibility requirements.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs