

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMES A KNUTSON**  
Claimant

**APPEAL NO: 14A-UI-12830-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**INNOVATIVE AG SERVICES CO**  
Employer

**OC: 11/23/14  
Claimant: Respondent (1)**

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

**PROCEDURAL STATEMENT OF THE CASE:**

The employer appealed a representative's December 5, 2014 (reference 03) determination that held the claimant qualified to receive benefits even though he did not accept the employer's offer of work. The claimant did not respond to the hearing notice or participate at the January 9 hearing. Craig Schroeder, a human resource generalist II, and Milton Olson, a location manager, appeared on the employer behalf. Based on the evidence, the employer's arguments, and the law, the administrative law judge concludes the claimant remains qualified to receive benefits.

**ISSUES:**

Did the clamant refuse an offer of suitable work without good cause?

Did the claimant have an unemployment insurance claim established when the employer offered him a job in mid-October 2014?

**FINDINGS OF FACT:**

On October 13, 2014 Olson offered the claimant a job that would start within two or three weeks and could last a month. The employer offered to pay the claimant \$11 an hour. The claimant initially indicated he would accept the job and took a pre-employment drug test.

A day or two later, the claimant contacted the employer and declined the job because he had accepted another job. The claimant did not establish a claim for benefits until the week of November 23, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if he refuses an offer of suitable work without good cause. Iowa Code § 96.5(3)a. When there has been an offer of work and a refusal of the offer, both the offer of work and refusal must occur within the claimant's benefit year before a disqualification can be imposed. 871 IAC 24.24(8).

Since the claimant did not establish a claim for benefits until the week of November 23, 2014; the employer's October 13 offer of work cannot disqualify the claimant from receiving benefits.

Even if the employer had offered the claimant a job when the claimant had established a claim for benefits, the claimant established good cause for declining the employer's offer of work because he had another job. The claimant remains qualified to receive benefits as of November 23, 2014.

**DECISION:**

The representative's December 5, 2014 (reference 03) determination is affirmed. The claimant cannot be disqualified from receiving benefits for declining an offer of work before he established a claim for benefits. In the alternative, the claimant established good cause for declining the job. As of November 23, 2014 the claimant remains qualified to receive benefits.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

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