

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARIA E JACOBO**  
Claimant

**APPEAL NO. 15A-UI-13512-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADVANCE SERVICES INC**  
Employer

**OC: 10/18/15**  
**Claimant: Appellant (2)**

Section 96.5-3-a – Work Refusal

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated November 18, 2015, reference 03, which held claimant ineligible for unemployment insurance benefits due to a refusal to accept work. After due notice, a telephone conference hearing was scheduled for and held on December 30, 2015. Claimant participated personally and had witness Chad Anderson. Employer participated by Michael Payne, who left the hearing soon after appearing. Interpretive services were provided by CTS Language Link.

**ISSUE:**

The issue in this matter is whether claimant refused to accept a suitable offer of work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Employer made no additional offer of work after claimant's placement was ended on October 16, 2015. Claimant called employer multiple times after work concluded but employer had no additional work.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-24.24(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.

For the reasons that follow, the administrative law judge concludes claimant did not refuse a suitable offer of work. As claimant received no bona fide offer of additional work, claimant did not refuse an offer of work. As such, claimant is still eligible to receive benefits.

**DECISION:**

The decision of the representative dated November 18, 2015, reference 03, is reversed. Claimant is eligible to receive unemployment insurance benefits, provided claimant meets all other eligibility requirements.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/can