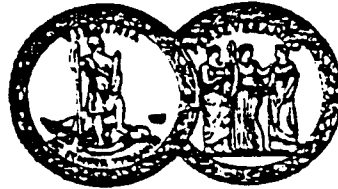


COMMONWEALTH OF VIRGINIA
VIRGINIA EMPLOYMENT COMMISSION



SUITABLE WORK: 150.2
Distance to Work:
Transportation and Travel

DECISION OF COMMISSION

In the Matter of

Virginia A. Ralph, Claimant
[REDACTED]

Coronet Casuals, Inc.
Portsmouth, Virginia

Employer

Date of Appeal

To Commission: November 22, 1972

Date of Hearing: May 22, 1973

Decision No.: 5975-C

Date of Decision: May 31, 1973

Place: Richmond, Virginia

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This is a matter before the Commission on appeal by the claimant from the decision of the Examiner (No. UI-72-2222) dated November 16, 1972.

ISSUE

Did the claimant fail without good cause to accept suitable work when so offered within the meaning of § 60.1-58 (c) of the Code of Virginia (1950), as amended?

FINDINGS OF FACT

The findings of fact of the Appeals Examiner are hereby adopted by the Commission.

OPINION

The opinion of the Appeals Examiner that there is no need to rule on whether or not the claimant is unemployed due to a labor dispute in active progress, is adopted by the Commission.

Section 60.1-58 (c) of the Virginia Unemployment Compensation Act provides a disqualification if it is found that a claimant failed without good cause to accept suitable work when so offered.

The claimant did not appear for the hearing to offer testimony concerning the reasons for her refusal to accept employment. The reason that she has given the Deputy for refusing to accept the work was there was a lack of transportation. In Peggy Ann Cook v. Southland Corporation, Commission Decision No. 5611-C (March 22, 1972), this Commission held that the problem of transportation to and from work is a personal responsibility of the employee. In order for a refusal to accept suitable work because of transportation difficulties to be for good cause, the transportation difficulties must be of a substantial nature, insurmountable by ordinary common sense and prudence. In view of the fact that the claimant had been previously employed at the employer's place of business, and transportation difficulties did not then exist, it is the opinion of the Commission that such transportation difficulties were not insurmountable. Therefore, lack of transportation does not constitute good cause which would enable the claimant to refuse suitable work.

DECISION

The decision of the Appeals Examiner disqualifying the claimant effective September 3, 1972, for any weeks benefits are claimed until she has performed services for an employer during thirty (30) days whether or not such days are consecutive for failing without good cause to accept suitable work, is hereby affirmed.


B. Redwood Council
Assistant Commissioner