

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DIAAELHAG M KAFI**  
Claimant

**APPEAL NO: 10A-UI-01383-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/23/09**  
**Claimant: Appellant (2)**

871 IAC 24.2(1)e – Failure to Report as Directed

**STATEMENT OF THE CASE:**

The claimant appealed a representative's January 19, 2010 decision (reference 05) that held him ineligible to receive benefits as of January 10, 2010, because he did not report to his local Workforce office as directed. A telephone hearing was scheduled on March 13, 2010. The hearing notice was returned as undeliverable. The hearing notice was sent to the address the claimant reported when he filed his appeal. This address is different than the address the January 19 decision had been mailed to. Based on the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the claimant be ineligible to receive benefits as of January 10, 2010, because he did not report to his local Workforce office as directed?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of August 23, 2009. The claimant moved after he established his claim. The notice a representative sent the claimant in mid-December was mailed to the address the claimant had in late August 2009. The claimant did not receive any notice that he was to report to his local Workforce office by December 30, 2009.

When the claimant did not report to his local Workforce office, a representative held him ineligible to receive benefits as of January 10, 2010. This notice was mailed to the claimant's August 2009 address also.

The claimant went to his local office on January 26, 2010, and registered for work. The claimant requested his benefits for the weeks ending January 16 and 23, 2010.

**REASONING AND CONCLUSIONS OF LAW:**

Each week a claimant files a claim for benefits, he must be able to and available for work. Iowa Code section 96.4-3. To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1) e. A claimant's failure to report as directed without justifiable cause shall make a claimant ineligible to receive benefits until he reports as a representative had directed him to do. Justifiable cause is defined as an important and significant reason that a reasonable person would consider adequate. 871 IAC 24.2 (1) e.

The record indicates the claimant did not receive the notice to report to his local Workforce office by January 10, 2010. Therefore, the record establishes justifiable cause for the claimant's failure to report to his local Workforce office. The claimant cannot be held ineligible to receive benefits for the weeks ending January 16 and 23, 2010, when he did not receive any information to go to his local Workforce office.

**DECISION:**

The representative's January 19, 2010 decision (reference 05) is reversed. Since the claimant did not receive the notice to report to his local Workforce office by December 30, 2009, he cannot be held ineligible for failing to report as directed. The claimant is eligible to receive benefits for the weeks ending January 16 and 23, 2010.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs