

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

CHERYL D BOWERS
5590 NE 3RD ST
DES MOINES IA 50313

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 05A-UI-11827-CT
OC: 07/17/05 R: 02
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.2(1)e – Reporting Requirements

STATEMENT OF THE CASE:

Cheryl Bowers filed an appeal from a representative's decision dated November 14, 2005, reference 04, which denied benefits on a finding that she failed to report to her local office as directed. After due notice was issued, a hearing was held by telephone on December 8, 2005. Ms. Bowers participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: On or about October 24, 2005, Ms. Bowers was mailed a notice that she needed to report to her local office to register for work. The notice did

not specify a date or time to report. The notice advised that the work registration could be completed either at the local office or on-line. The work registration was to be completed by November 4, 2005. Ms. Bowers had her son completed a registration on-line and believed the submission had been accomplished.

Ms. Bowers received the disqualifying decision dated November 14, 2005. This was her first notice that the work registration completed on-line had not been transmitted to Workforce Development. She received an appeal form from her local office to complete on November 21, 2005. The local office did not offer her an opportunity to register for work at that time.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Bowers should be disqualified from receiving benefits as of the week ending November 5, 2005. She received the notice that she needed to complete a work registration and made a good-faith effort to comply by having her son register her on-line. Ms. Bowers believed she had accomplished what was requested of her. She did not know that her son's efforts had been unsuccessful until she received the disqualifying decision. The local office could have had her complete the necessary registration when she came in on November 21 after receiving the disqualifying decision but did not.

The administrative law judge concludes that, given Ms. Bowers' good faith-efforts, the disqualifying decision should be reversed. Accordingly, benefits are allowed effective October 30, 2005. If Ms. Bowers has not gone to her local office at this point, she should report immediately to complete the necessary work registration.

DECISION:

The representative's decision dated November 14, 2005, reference 04, is hereby reversed. Ms. Bowers is allowed benefits effective October 30, 2005, provided she satisfies all other conditions of eligibility.

cfc/pjs