

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HEATHER L VAN HOOSIER**  
Claimant

**APPEAL NO: 14A-UI-12093-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 06/08/14**  
**Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able to and Available for Work  
871 IAC 24.2(1) h – Failure to Report as Directed

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's November 12, 2014 determination (reference 02) that held her ineligible to receive benefits as of November 9, 2014, because she failed to respond to a notice to provide information to a Workforce representative. The claimant participated at the December 12 hearing. Based on the evidence, the claimant's arguments of the parties, and the law, the administrative law judge concludes that as of November 9, 2014, the claimant remains eligible to receive benefits as of November 9, 2014.

**ISSUE:**

Did the claimant fail to report or respond to a request to provide information to a Workforce representative?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of June 8, 2014. On October 13, 2014, the claimant started working at a part-time job. When she filed a claim for the week ending October 25, 2014, she mistakenly marked that she had been discharged. The claimant was not discharged and has not been discharged from the part-time job she began on October 13, 2014.

On October 29, a representative sent the claimant a letter informing her that on her October 25 weekly claim she indicated she had been discharged for misconduct. The letter asked the claimant for more information. The claimant did not receive this letter.

In late October or early November the claimant talked to a representative about the way she had been reporting her wages. The claimant learned she had been reporting her wages incorrectly.

**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 § 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 who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

The claimant made a mistake when filing her claim for the week ending October 25, 2014. She was not discharged during the week of October 25. The claimant did not receive the representative's late October request for information. The evidence establishes that even though the claimant did not specifically respond to the late October letter, she talked to a representative about this same time and learned her understanding about how to report her wages was incorrect. During this discussion, issues regarding the week of October 25 should have been addressed.

The claimant's testimony that she responded to all inquiries to meet a representative or provide information is credible. Since the claimant did not receive the late October letter, she cannot be held unavailable. As of November 9, the claimant remains eligible to receive benefits.

**DECISION:**

The representative's November 12, 2014 determination (reference 02) is reversed. The claimant responded to requests for information that she received from the Department. She did not receive a late October request for information about a discharge during the week ending October 25. The claimant remains eligible to receive benefits as of November 9, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs