

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CLARK E PATTERSON
Claimant

APPEAL NO: 12A-UCFE-00030-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/17/12

Claimant: Appellant (2)

871 IAC 24.2-1-e – Failure to Report

STATEMENT OF THE CASE:

Clark E. Patterson (claimant) appealed a representative's August 20, 2012 decision (reference 01) that concluded he was not qualified to receive unemployment insurance benefits because he had not responded to an Agency notice to respond to an issue relating to his eligibility. A hearing notice was mailed to the claimant's last-known address of record for a telephone hearing to be held on October 2, 2012. Prior to the hearing being held, the administrative law judge determined that no hearing was necessary and that a decision could be made on the record. Based on a review of the available information and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant disqualified from receiving unemployment insurance benefits for a failure to report as directed?

FINDINGS OF FACT:

The claimant established an initial claim for unemployment insurance benefits effective June 17, 2012. On August 6, 2012 the Agency sent the claimant a notice to complete an additional application for job search assistance; he was directed to do so either on line or in person by 3:30 p.m. on August 16, 2012. On August 14 the claimant contacted the Agency by email regarding the notice and reported that he was now employed so was no longer in need of job search assistance. Agency records indicate that the last week the claimant claimed and received any unemployment insurance benefits was the week ending July 14, 2012; beginning the week of July 21 he reported receiving wages in excess of his eligibility allowance. While an attempt was made by an Agency representative to forward the claimant's information to the Claims section, that information did not get to the Claims representative before the issuance of the decision in this case on August 20.

REASONING AND CONCLUSIONS OF LAW:

A claimant can be found ineligible for unemployment insurance benefits for a failure to report as required.

871 IAC 24.2(1)e provides:

e. In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual shall report as directed to do so by an authorized representative of the department. If the individual has moved to another locality, the individual may register and report in person at a workforce development center at the time previously specified for the reporting.

The method of reporting and the payment of benefits, provided the individual is otherwise eligible, shall be on a biweekly basis by mail if the claimant files a Form 60-0151.

The method of reporting shall be weekly if a voice response continued claim is filed, unless otherwise directed by an authorized representative of the department. An individual who files a voice response continued claim will have the benefit payment automatically deposited weekly in the individual's financial institution's account or be paid by the mailing of a warrant on a biweekly basis.

In order for an individual to receive payment by direct deposit, the individual must provide the department with the appropriate bank routing code number and a checking or savings account number.

The department retains the ultimate authority to choose the method of reporting and payment.

The claimant did appropriately respond to the notice to report. Benefits are allowed if the claimant is otherwise eligible.

DECISION:

The representative's August 20, 2012 decision (reference 01) is reversed. The claimant did appropriately respond to the notice to report. He is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/css