

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DANA L PERRY**  
Claimant

**APPEAL NO. 07A-UI-08885-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/22/07 R: 02  
Claimant: Appellant (2)**

Section 96.4-3 – Eligibility for Benefits  
871 IAC 24.2(1)e – Reporting as Directed

**STATEMENT OF THE CASE:**

Dana L. Perry filed a timely appeal from an unemployment insurance decision dated September 12, 2007, reference 01, which denied benefits to her effective September 2, 2007 upon a finding that she had failed to report to the Agency in response to a notice which had been mailed to her. Before a hearing could be scheduled, however, the Agency issued a subsequent fact-finding decision on September 18, 2007. The second fact-finding decision allowed benefits to the claimant effective September 2, 2007.

**ISSUE:**

Should the claimant be denied unemployment insurance benefits for failing to report as directed?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: Dana L. Perry did not receive the notice mailed to her by the Agency instructing her to report to her local Workforce Development Center during the week of September 2, 2007.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether benefits should be withheld because Ms. Perry did not report to the Agency during the week in question. The evidence in the record persuades the administrative law judge that Ms. Perry did not report because she did not receive the notice instructing her to do so. Denial of benefits is not appropriate under these circumstances.

**DECISION:**

The unemployment insurance decision dated September 12, 2007, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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