

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GRETCHEN BOYSEN
Claimant

APPEAL NO. 07A-UI-08614-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/25/07 R: 02
Claimant: Appellant (2)**

871 IAC 24.6(6) – Reemployment Services

STATEMENT OF THE CASE:

Gretchen Boysen (claimant) appealed an unemployment insurance decision dated August 31, 2007, reference 03, which denied benefits as of August 19, 2007 based on the claimant's failure to participate in reemployment services. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on September 24, 2007. The claimant participated in the hearing. Claimant's Exhibit A was admitted into evidence. Based on the evidence, the arguments of the party, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant had good cause for failing to participate in reemployment services?

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds that: A notice to report was sent to the claimant on August 9, 2007. She was scheduled to participate in reemployment services on August 24, 2007 from 8:00 a.m. to 9:00 a.m. but failed to participate because she was in class for a job training program during that same time. The claimant has contacted her local Workforce center and provided the requested information.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant is eligible for benefits since she failed to participate in reemployment services.

Iowa Workforce Development rule 871 IAC 24.6(6), provides as follows:

A claimant shall participate in reemployment services when referred by the department unless the claimant establishes justifiable cause for failure to participate or the claimant has previously completed such training or services. Failure by the claimant to participate

without justifiable cause shall disqualify the claimant from the receipt of benefits until the claimant participates in the reemployment services.

a. Justifiable cause for failure to participate is an important and significant reason which a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant.

The evidence indicates the claimant failed to participate in reemployment services because she was in class for a job training program during that same time. The claimant has established justifiable cause for her failure to participate in reemployment services. Accordingly, benefits are allowed as of August 19, 2007.

DECISION:

The unemployment insurance decision dated August 31, 2007, reference 03, is reversed. The claimant is qualified to receive unemployment insurance benefits as of August 19, 2007.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/kjw