

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KEISHA RANDALL
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 22A-UI-07241-JD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 03/28/21
Claimant: Appellant (4)**

Iowa Code § 96.4(3) – Able & Available

STATEMENT OF THE CASE:

On March 25, 2022, Keisha Randall (claimant/appellant) filed an appeal from the March 23, 2022, reference 04, unemployment insurance decision that concluded she not able to or available for work effective March 20, 2022. A telephone hearing was held at on May 9, 2022 pursuant to due notice. The claimant, Keisha Randall, participated and testified. The administrative law judge took official notice of the administrative record.

ISSUE:

Is the claimant able to and available for work?

FINDINGS OF FACT:

Having reviewed the evidence in the record, the administrative law judge finds: Claimant began working for employer on April 24, 2021. Claimant last worked as a full-time mail clerk. Claimant was separated from employment on February 6, 2022, when she voluntarily quit her employment with no good cause attributable to her employer. The claimant was not able to or available for work from March 20, 2022, through April 29, 2022. Claimant gave birth via cesarean on March 21, 2022 and was not medically cleared to return to work until April 29, 2022. Benefits are allowed effective April 29, 2022. The claimant's separation from her last employer was a disqualification decision and the claimant remains disqualified for benefits as that decision was affirmed in 22A-UI-07236-JD-T.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that the claimant was not able to work and available for work effective March 21, 2022, through April 29, 2022.

Iowa Code § 96.4(3) provides:

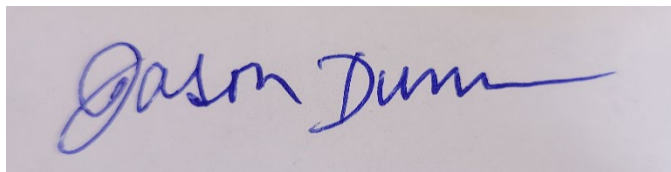
An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph (1), or temporarily unemployed as defined in section 96.19, subsection 38, and paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant was unable to work from March 21, 2022, through April 29, 2022, when she was medically cleared to return to work following the birth of her child. Claimant is eligible for work effective May 1, 2022.

DECISION:

The March 23, 2022, reference 04, unemployment insurance decision is modified in favor of the appellant. Claimant is able to and available for work effective May 1, 2022, provided the claimant is otherwise eligible.



Jason Dunn
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Fax (515) 478-3528

May 31, 2022
Decision Dated and Mailed

jd/scn