

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTINE R DUSENBERRY
Claimant

APPEAL NO. 09A-UI-08151-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/25/09
Claimant: Appellant (2)

871 IAC 24.2(1)e – Reporting as Directed

STATEMENT OF THE CASE:

Christine R. Dusenberry filed a timely appeal from an unemployment insurance decision dated May 29, 2009, reference 03, that denied benefits to her upon a finding that she did not respond to a notice to report to her local workforce development center that had been mailed to her. Due notice was issued for a telephone hearing to be held June 24, 2009. After reviewing all matters of record, the administrative law judge concludes that a formal hearing is not necessary.

ISSUE:

Did the claimant fail to respond to a notice to report that had been mailed to her?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: On May 28, 2009, Iowa Workforce Development mailed a notice to Christine R. Dusenberry advising her that she needed to register for work. Ms. Dusenberry did so.

REASONING AND CONCLUSIONS OF LAW:

The question is whether it is appropriate to deny benefits to the claimant upon a finding that she had not responded to a notice that had been mailed to her. Concluding that the notice was not mailed as indicated in the fact-finding decision, the administrative law judge concludes that denial of benefits was not appropriate.

A provision of the Iowa Administrative Code, 871 IAC 24.2(1)e, requires that individuals report to their local workforce development center when directed to do so. The prior decision is predicated on the agency having mailed such a notice to the claimant prior to May 24, 2009. Information supplied by the agency, however, indicates that the notice was not mailed to Ms. Dusenberry until May 28, 2009 and that Ms. Dusenberry promptly responded.

DECISION:

The unemployment insurance decision dated May 29, 2009, reference 03, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs