

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

LINDA A SAYER
6706 AMHURST SW
CEDAR RAPIDS IA 52404

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-10451-AT
OC: 08-01-04 R: 03
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.6(6) – Reemployment Services

STATEMENT OF THE CASE:

Linda A. Sayer filed a timely appeal from an unemployment insurance decision dated September 21, 2004, reference 12, which denied benefits to her for the week ending September 18, 2004 upon a finding that she failed to establish justifiable cause for failing to participate in reemployment services during that week. Due notice was issued for a telephone hearing to be held October 13, 2004. At the claimant's request, it was held on October 6, 2004. Ms. Sayer participated on her own behalf.

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Linda A. Sayer was scheduled to participate in reemployment services orientation on September 15, 2004 at 10:00 a.m. She was unable to attend that day because she is enrolled in classes at Kirkwood Community College in the nursing field. Attendance is mandatory. By the time the hearing was held on October 6, 2004, Ms. Sayer had rescheduled and attended the orientation.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant has established a justifiable cause for failing to participate in reemployment services on September 15, 2004. She has. The purpose of reemployment services is to assist individuals find new employment. Ms. Sayer's coursework at Kirkwood Community College has the same affect. Training which results in new or enhanced job skills is a justifiable reason for failing to participate in reemployment services through the Agency. Benefits are allowed.

DECISION:

The unemployment insurance decision dated September 21, 2004, reference 12, is reversed. The claimant is entitled to receive unemployment insurance benefits for the week ending September 18, 2004.

tjc/tjc