

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CARLIN E MOSER
Claimant

APPEAL NO. 08A-UI-02380-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/13/08 R: 02
Claimant: Appellant (2)**

871 IAC 24.23(11) - Failure to Report as Directed

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated February 29, 2008, reference 02, that concluded she was ineligible for benefits effective February 24, 2008, because she did not report to the Agency as directed.. A telephone hearing was held on March 25, 2008. The claimant participated in the hearing.

ISSUE:

Did the claimant fail to report to the Agency as directed?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of January 13, 2008. The claimant was informed and understood that under the unemployment insurance rules, claimants were subject to disqualification for failing to report to the Agency as directed.

A notice was mailed to the claimant in February 2008 that stated she was required to register for work at her local Workforce Development Center or online. The claimant did not receive this notice.

Later, the claimant received a second notice requiring her to register to work before March 7, 2008. She followed the instructions given and registered to work online before March 7.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant is ineligible for benefits effective February 24, 2006, because she did not report to the Agency as directed.

The unemployment insurance law provides that a claimant must be able to work, available for work, and actively seeking employment. Iowa Code section 96.4-3. Under the unemployment insurance rules, a claimant who fails to report as directed to the Agency in response to a notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

The claimant never received the first notice that was sent out and was unaware of any obligation to report. She is not subject to disqualification for failing to report as directed.

DECISION:

The unemployment insurance decision dated February 29, 2008, reference 02, is reversed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs