

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
<b>ANNE T BRUFLAT</b> Claimant  <b>IOWA WORKFORCE DEVELOPMENT DEPARTMENT</b>	<b>APPEAL NO: 13A-UI-13319-S2T</b>  <b>ADMINISTRATIVE LAW JUDGE DECISION</b>   <b>OC: 01/13/13</b> <b>Claimant: Appellant (2)</b>

Section 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Anne Bruflat (claimant) appealed a representative's November 26, 2013, decision (reference 04) that concluded she was not eligible to receive unemployment insurance benefits because she was not available to work because she was devoting time and effort to becoming self-employed. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on December 17, 2013. The claimant did participate.

**ISSUE:**

The issue is whether the claimant is available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant is devoting four hours or less per week to her paralegal business. These hours are spent at night. The claimant continues to make job searches during the day and is able and available for work.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge concludes the claimant is available for work.

871 IAC 24.23(7) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(7) Where an individual devotes time and effort to becoming self-employed.

When an employee is devoting time and effort to being self-employed, she is considered to be unavailable for work. The claimant was devoting very little time and effort to a paralegal business. She is still considered to be available for work. The claimant is qualified to receive unemployment insurance benefits availability for work.

**DECISION:**

The representative's November 26, 2013, decision (reference 04) is reversed. The claimant is qualified to receive unemployment insurance benefits availability for work.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/pjs