

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

NOVO S LAGAO
Claimant

APPEAL NO: 14A-UI-05681-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 09/15/13
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Ability to Work

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's May 23, 2014 (reference 04) determination that held him ineligible to receive benefits as of September 15, 2013 because he had not provided proof that he was legally authorized to work in the United States. Nicholas Maxwell appeared on the claimant's behalf at the June 25 hearing. Based on the administrative record, a copy of the claimant's permanent residence card, and the law, the administrative concludes the claimant is legally authorized to work in the United States and is eligible to receive benefits.

ISSUE:

As of September 15, 2013 is the claimant legally authorized to work in the United States?

FINDINGS OF FACT:

The claimant received an immigrant visa on July 13, 2011. This expired on August 16, 2011. The claimant then received a permanent resident card from the United States that expires on August 22, 2021. The permanent resident card indicates the claimant has been a resident since August 8, 2011.

The claimant established a claim for benefits during the week of September 15, 2013. The claimant has filed and received benefits since September 15, 2013.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must be able to and available for work. Iowa Code § 96.4(3). As a condition to receiving job insurance benefits, an individual must be legally authorized to work in the United States. See 871 IAC 24.22(2)o.

The administrative record establishes the clamant was legally authorized to work since August 2011. As of September 15, 2013 the claimant is eligible to receive benefits.

DECISION:

The representative's May 23, 2014 (reference 04) determination is reversed. The claimant provided proof that he is legally authorized to work in the United States. As of September 15, 2013 the claimant is able to work in the United States and eligible to receive benefits.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/can