

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JOHN R HEIDEMANN
Claimant

APPEAL NO: 14A-UI-01813-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 06/23/13

Claimant: Appellant (2)

Section 96.4-3 – Able and Available

STATEMENT OF THE CASE:

John R. Heidemann (claimant) appealed a representative's February 5, 2014 decision (reference 02) that concluded he was not qualified to receive unemployment insurance benefits for the week ending November 23, 2013 by not being adequately able and available for work. After a hearing notice was mailed to the claimant's last-known addresses of record, a telephone hearing was held on March 11, 2014. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Was the claimant eligible for unemployment insurance benefits by being able and available for work?

FINDINGS OF FACT:

During the week ending November 23, 2013 the claimant worked one day for an employer. He made a weekly claim and reported the wages earned for that day. He did not work other days that week because that employer had no other work for him.

The claimant did provide some transportation assistance that week for his wife whose leg was in a brace. However, that assistance was minimal on a daily basis, and the claimant's adult daughter could have provided that assistance had other work become available for the claimant.

REASONING AND CONCLUSIONS OF LAW:

With respect to any week in which unemployment insurance benefits are sought, in order to be eligible the claimant must be able to work, is available for work, and is earnestly and actively seeking work. Iowa Code § 96.4-3. The claimant has demonstrated that for the week ending November 23, 2013 he was able and available to work the major portion of the week. 871 IAC 24.22(2)h. Benefits are allowed, if the claimant is otherwise eligible.

DECISION:

The representative's February 5, 2014 decision (reference 02) is reversed. The claimant was able to work and available for work the week ending November 23, 2013. The claimant is qualified to receive unemployment insurance benefits that week, if he was otherwise eligible.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/css