

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MUSA A KORO
Claimant

APPEAL NO. 10A-UI-01744-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ABM LTD – SERVICEMASTER GREEN
Employer

OC: 07/19/09
Claimant: Respondent (1)

Section 96.4(3) – Able and Available

STATEMENT OF THE CASE:

ABM, Ltd. filed an appeal from a representative's decision dated January 20, 2010, reference 04, which held that Musa Koro satisfied the availability requirements of the law effective December 23, 2009. After due notice was issued, a hearing was held by telephone on March 18, 2010. Mr. Koro participated personally. The employer participated by Greg Stearns, Human Resources Manager. Robert Dut Talang participated as the interpreter.

ISSUE:

At issue in this matter is whether Mr. Koro satisfied the availability requirements of the law as of December 23, 2009.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Koro worked for ABM, Ltd. on December 21, 22, and 23, 2009. He was hired to work 2.5 hours a day for five days a week at the Federal Building. He blocked a door open when he took the trash out and forgot to unblock it when he returned. His actions constituted a security risk and, therefore, he was removed from the assignment. ABM, Ltd. did not have any other work for him at that time.

The employer tried to reach Mr. Koro by telephone at later dates but was unable to do so. He was at the employer's office on January 19, 2010 but no work was offered at that point.

REASONING AND CONCLUSIONS OF LAW:

In order to receive job insurance benefits, an individual must be able to work, available for work, and actively seeking work. Iowa Code section 96.4(3). The employer contended that Mr. Koro was not available for work because he did not have reliable phone service. Having a telephone is not a condition for the receipt of job insurance benefits. There are other means the employer can utilize to contact Mr. Koro if it has work available. The administrative law judge is satisfied that he is making the required two in-person job contacts each week as required.

For the reasons cited herein, it is concluded that Mr. Koro has satisfied the requirements of section 96.4(3) since December 23, 2009. Accordingly, benefits are allowed.

DECISION:

The representative's decision dated January 20, 2010, reference 04, is hereby affirmed. Mr. Koro is available for work within the meaning of the law. Benefits are allowed, provided he is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css