

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**RON J ASBY  
1501 BROADWAY ST  
IOWA CITY IA 52240**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-02800-CT  
OC: 01/25/04 R: 03  
Claimant: Appellant (2)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

871 IAC 24.6(6) – Re-Employment Services

STATEMENT OF THE CASE:

Ron Asby filed an appeal from a representative's decision dated March 8, 2004, reference 05, which denied benefits for the week ending March 6, 2004 on a finding that he failed to participate in re-employment services. After due notice was issued, a hearing was held by telephone on April 13, 2004. Mr. Asby participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: A notice was mailed to Mr. Asby at his then address of record advising that he was to report to his local office to participate in re-employment services.

He had moved from Cedar Rapids to Iowa City and, therefore, did not receive the notice in time to participate as required. He subsequently went through re-employment services on March 12, 2004.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Asby has established good cause for not participating in re-employment services. Because of his move, he did not receive the notice in time. Inasmuch as he did not know that he was to participate at a specified time, he had good cause for not being available. Accordingly, the disqualification shall be removed.

DECISION:

The representative's decision dated March 8, 2004, reference 05, is hereby reversed. Mr. Asby has established good cause for not participating in reemployment services. Benefits are allowed for the week ending March 6, 2004, provided he satisfies all other conditions of eligibility.

cfc/b