

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KAYLA M BRUNTZ

Claimant

APPEAL 22A-UI-05781-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/13/22
Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.23(11) – Able & Available – Failure to Report
Iowa Admin. Code r. 871-24.2(1)(e) – Able & Available – Report as Directed by Department
Iowa Admin. Code r. 871-24.3(2) – Able & Available – Identity Verification

STATEMENT OF THE CASE:

Claimant filed an appeal from the March 3, 2022 (reference 02) unemployment insurance decision that allowed benefits effective February 20, 2022, based upon a determination that claimant initially failed to provide verification of her identity but subsequently did so. Claimant was properly notified of the hearing. A telephone hearing was held on April 15, 2022. Claimant participated. At claimant's request, the record remained open until 4:30 p.m. on April 18, 2022 for claimant to submit proposed exhibits. The Iowa Workforce Development Appeals Bureau did not receive any proposed exhibits from claimant as of April 19, 2022. Therefore, no exhibits were admitted. Official notice was taken of the administrative record.

ISSUES:

Whether claimant was able to and available for work.
Whether claimant failed to report as directed by a department representative.
Whether claimant timely provided verification of identity.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

Claimant initially opened a claim for unemployment insurance benefits on February 13, 2022. Claimant was unable to verify her identity through the online verification process.

On February 16, 2022, the agency mailed claimant a letter stating that if she was unable to provide proof of her identity by February 22, 2022, "benefits may be delayed or denied." Claimant received the letter but does not recall the date of receipt. Claimant responded to the letter by submitting documents to prove her identity; claimant does not recall the date of submission. Iowa Workforce Development received the documents; the date of receipt is unknown.

On March 3, 2022, the agency issued a decision finding claimant eligible for benefits effective February 20, 2022, as she provided the requested identity verification documents.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes:

Iowa Admin. Code r. 871-24.3 provides (emphasis added):

A claim will not become valid until the identity of the claimant has been verified by the department.

(1) Upon the filing of a claim, notification shall be provided to the claimant if the claimant's identity was not verified.

(2) If the agency is unable to verify the claimant's identity in the claim application, the claimant must provide approved documents. Approved documents must include at least one document containing a social security number. The department shall determine the approved documents required to verify identity. The list of approved documents can be found at the nearest local workforce center or online.

(3) The claimant's identity will not be considered verified until approved documents have been provided. **The claim shall remain locked from issuance of benefits until the claimant has provided the approved documents to verify identity.**

(4) After filing a claim application, the claimant shall not be eligible for benefits for any week until approved documents are provided to verify identity.

(5) Approved documents must be provided or postmarked by Saturday at 11:59 p.m. of the week in which the approved documentation is due, and the claim shall be unlocked for all weeks following the most recent effective date of the claim application.

(6) If required documents are provided in any subsequent weeks following the due date, the claimant shall be eligible, provided there are no other outstanding issues with the claim, as of the Sunday of the week the claimant's identity was verified.

Iowa Admin. Code r. 871-24.23(11) provides:

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

(11) Failure to report as directed to workforce development in response to the notice which was mailed to the claimant will result in the claimant being deemed not to meet the availability requirements.

In this case, claimant received notification to provide verification of her identity by February 22, 2022, in order to prevent benefits from being delayed or denied. Claimant has not established that she provided the requested documentation prior to the deadline. Claimant became able to and available for work when she verified her identity. Therefore, benefits are withheld from February 13, 2022 until February 19, 2022. Benefits are allowed effective February 20, 2022, provided claimant is otherwise eligible.

DECISION:

The March 3, 2022 (reference 02) unemployment insurance decision is affirmed. Claimant was not available for work for the period of February 13, 2022 through February 19, 2022, because claimant failed to provide verification of identity as required. Benefits are allowed effective February 20, 2022, provided claimant is otherwise eligible.



Adrienne C. Williamson
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April 22, 2022
Decision Dated and Mailed

acw/ACW