

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MOHAMED O MOHAMED**  
Claimant

**APPEAL NO. 13A-UI-02420-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**JACOBSON STAFFING**  
Employer

**OC: 12/30/12**  
**Claimant: Respondent (1)**

Section 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

The employer, Jacobson Staffing, filed an appeal from a decision dated February 20, 2013, reference 01. The decision allowed benefits to the claimant, Mohamed Mohamed. After due notice was issued, a hearing was held by telephone conference call on April 1, 2013. The claimant did not provide a telephone number where he could be contacted and did not participate. The employer participated by Office Manager Danielle Aeschliman.

**ISSUE:**

The issue is whether the claimant is able and available for work.

**FINDINGS OF FACT:**

Mohamed Mohamed filed a claim for unemployment benefits with an effective date of December 30, 2012 indicating he was still working. He was assigned to JWC for an indefinite assignment beginning December 3, 2012. He filed for only the two-week period ending January 12, 2013, and the records of Jacobson Staffing indicate he was working during those weeks. There is no record of any unscheduled absence during that time.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept

suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The record establishes the claimant was working all available hours during that two-week period and must therefore be considered able and available for work.

**DECISION:**

The representative's decision of February 20, 2013, reference 01, is affirmed. Mohamed Mohamed is able and available for work and eligible for benefits.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

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