

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HILDA CARRILLO-VILLAS
Claimant

APPEAL NO. 07A-UI-00724-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 10/29/06 R: 01
Claimant: Appellant (1)**

Section 96.4-3 – Able and Available

STATEMENT OF THE CASE:

Hilda Carrillo-Villas (claimant) appealed a representative's January 11, 2007 decision (reference 03) that concluded she was not eligible to receive unemployment insurance benefits because she had no means of transportation to work. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on February 7, 2007. The claimant participated personally through Anna Pottebaum, Interpreter.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds that: The claimant had no transportation to employment because her car was broken and she had no money for transportation from October 29, 2006, through January 6, 2007.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was not available for work due to lack of transportation.

871 IAC 24.23(4) provides:

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

(4) If the means of transportation by an individual was lost from the individual's residence to the area of the individual's usual employment, the individual will be deemed not to have met the availability requirements of the law. However, an individual shall not be disqualified for restricting employability to the area of usual employment. (See subrule 24.24(7)).

The claimant's means of transportation was lost because the car was broken. When a claimant has no means of transportation to employment, the claimant is deemed to not be available for work. The claimant is disqualified from receiving unemployment insurance benefits because she is not available for work with another employer.

DECISION:

The representative's January 11, 2007 decision (reference 03) is affirmed. The claimant is disqualified from receiving unemployment insurance benefits because she is not available for work.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/kjw