

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JESSICA JENSEN MESCH
Claimant

APPEAL 22A-UI-05722-JD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/02/22
Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.22(2) – Able & Available – Benefits Eligibility Conditions
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:

On March 4, 2022, the claimant filed an appeal from the February 25, 2022, (reference 04) unemployment insurance decision that denied benefits until February 20, 2022, when she verified her identity as instructed by IWD. The parties were properly notified about the hearing. A telephone hearing was held on April 13, 2022. Claimant, Jessica Jensen-Mesch, participated and testified. The administrative law judge took official notice 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 January 2, 2022. Claimant was asked to verify her identity through the online verification process. Therefore, on his claim confirmation page, a notice appeared stating claimant was required to provide qualifying proof of his identity to the agency in order to prevent her benefits from being delayed and her claim from being canceled. The claimant had until January 16, 2022 to provide the documentation.

On January 20, 2022, claimant submitted a copy of her Iowa Driver's License and a W-2. The claimant was notified via email that IWD required additional documentation in order to properly verify her identity. On February 10, 2022, claimant resubmitted a copy of the same information online and again was notified via email that additional documentation was necessary in order to verify her identification. The claimant submitted all of the necessary documents to verify her

identification on February 24, 2022. The claimant was found to be able to and available effective February 20, 2022, after properly verifying her identity.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant failed to provide timely verification of his identity by January 16, 2022. The claimant did properly provide the required verification effective February 20, 2022.

Each week a claimant files a claim for benefits he must be able to and available for work. Iowa Code § 96.4(3). To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1)e. A claimant who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

Iowa Admin. Code r. 871-24.3 provides:

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.

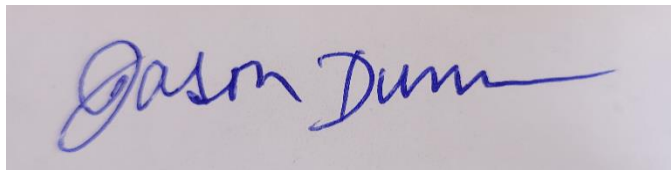
(11) Failure to report as directed to workforce development in response to the notice which was mailed to the claimant will result in the claimant being deemed not to meet the availability requirements.

In this case, claimant received notification to provide verification of her identity by January 16, 2022, in order to prevent benefits from being delayed and/or the claim being canceled. Claimant did not provide the requested documentation until February 24, 2022. The administrative law judge is sympathetic to claimant's position, but claimant's failure to provide the required documentation in a timely manner was not due to Agency error. The administrative law judge finds claimant was not available for work until February 20, 2022, when claimant provided the required identity verification documents to the agency.

Therefore, benefits are withheld from January 2, 2022 until February 19, 2022. Benefits are allowed effective February 20, 2022, provided claimant is otherwise eligible.

DECISION:

The February 25, 2022 (reference 04) unemployment insurance decision is affirmed. Claimant was not available for work for the period of January 2, 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



Jason Dunn
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April 19, 2022
Decision Dated and Mailed

jd/mh