

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DON A REINHART
Claimant

APPEAL NO: 12A-UI-06568-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INTERNATIONAL INC
Employer

OC: 02/19/12
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Availability for Work

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's May 31, 2012 determination (reference 03) that held him ineligible to receive benefits as of April 22, 2012, because he was a full-time student and was not available for work. The claimant participated in the hearing. Jamie Kirkus, a staffing specialist, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge finds the claimant is eligible to receive benefits as of April 22, 2012.

ISSUE:

As of April 22, 2012, is the claimant available to work and eligible to receive benefits?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of February 19, 2012. He reopened his claim the week of April 22, 2012. The claimant received Department Approved Training for the weeks ending April 28, 2012 through May 19, 2012. The claimant attended school full time during these weeks.

The claimant's classes ended on May 18, 2012. He contacted the employer earlier to let the employer know he was available to work any hours as of May 19, 2012. After the claimant contacted the employer on May 18, the employer scheduled an interview for the claimant on May 24. The claimant started an assignment on May 25. Since May 19, the claimant is available to work any hours. The claimant has filed weekly claims since he reopened his claim the week of April 22, 2012.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must be able to and available for work. Iowa Code § 96.4(3). When a claimant has received Department Approved Training, he is not denied benefits for weeks he is in school. Iowa Code § 96.4(6). This means that for the weeks the claimant attended classes full time, he is eligible to receive benefits. The claimant is eligible to

receive benefits for the weeks ending April 28 through May 19, 2012, because he received Department Approved Training to attend school.

As of May 20, the claimant established he was available to work any hours. This conclusion is supported by the fact; he contacted the employer on May 18 to find out if the employer had any job for him. The claimant interviewed for a job on May 24 and started the assignment the next day. The claimant established he is eligible to receive benefits as of April 22 and for subsequent weeks after he finished his classes.

DECISION:

The representative's May 31, 2012 determination (reference 03) is reversed. The claimant is eligible to receive benefits as of April 22 because even though he attended school full time he received Department Approved Training for the weeks ending April 28 through May 19, 2012. After the claimant completed his classes on May 18, he contacted the employer and informed the employer he was available for any hours. The claimant remains eligible to receive benefits as of May 20 because he established his availability for work.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css