

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMIE R VONHAGEL**  
Claimant

**APPEAL NO. 13A-UI-12840-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/20/13**  
**Claimant: Appellant (2)**

Section 96.4-3 - Able to and Available for Work

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated November 13, 2013, reference 04, that concluded he was not able to and available for work. A telephone hearing was held on December 10, 2013. The claimant participated in the hearing. Exhibit A was admitted into evidence.

**ISSUE:**

Was the claimant able to and available for work?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits effective October 20, 2013. He had been terminated from his job at National Builders Inc. after being released to return to work without restrictions, which terminated his workers' compensation benefits. The claimant has submitted a release from a doctor dated October 10, 2013, stating he was released to work without restrictions.

The claimant has been actively looking for work and applying for suitable work. He would have accepted job offers from any of the employers that he has applied for work with.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant is able to work, available for work, and earnestly and actively seeking work as required by the unemployment insurance law in Iowa Code § 96.4-3.

The unemployment insurance rules provide that a person must be physically able to work, not necessarily in the individual's customary occupation, but in some reasonably suitable, comparable, gainful, full-time endeavor that is generally available in the labor market. 871 IAC 24.22(1)b. The evidence establishes that the claimant was able to work without restrictions and has been actively looking for work in compliance with the requirements of the law.

**DECISION:**

The unemployment insurance decision dated November 13, 2013, reference 04, is reversed.  
The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs