

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DENISE AKERS
Claimant

APPEAL NO: 07A-UI-02170-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/07/07 R: 03
Claimant: Appellant (1)**

871 IAC 24.6(6) –Reemployment Services

STATEMENT OF THE CASE:

Denise Akers (claimant) appealed an unemployment insurance decision dated February 27, 2007, reference 04, which denied benefits for the week ending February 24, 2007 based on the claimant's failure to participate in reemployment services. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on March 20, 2007. The claimant participated in the hearing. The claimant waived formal notice to the issue of whether or not she could establish justifiable cause for failing to participate in reemployment services since it was not listed on the hearing notice. Based on the evidence, the arguments of the party, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant had good cause for failing to participate in reemployment services.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was scheduled to participate in reemployment services during the week ending February 24, 2007 but failed to participate because she wrote down the appointment on the wrong date on her calendar.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant is eligible for benefits since she failed to participate in reemployment services.

Iowa Workforce Development rule 871 IAC 24.6(6), provides as follows:

A claimant shall participate in reemployment services when referred by the department unless the claimant establishes justifiable cause for failure to participate or the claimant has previously completed such training or services. Failure by the claimant to participate

without justifiable cause shall disqualify the claimant from the receipt of benefits until the claimant participates in the reemployment services.

a. Justifiable cause for failure to participate is an important and significant reason which a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant.

The evidence indicates the claimant failed to participate in reemployment services because she wrote down the appointment on the wrong date on her calendar. The claimant has not established justifiable cause for her failure to participate in reemployment services. Accordingly, benefits are denied for the week ending February 24, 2007.

DECISION:

The unemployment insurance decision dated February 27, 2007, reference 04, is affirmed. The claimant is not qualified to receive unemployment insurance benefits for the week ending February 24, 2007.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs