

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SAMANTHA A TANGEMAN**  
Claimant

**APPEAL NO. 09A-UI-02964-E2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Original Claim: 01/11/09  
Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able and Available  
871 IAC 24.2(1)e – Failure to Report

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the February 20, 2009, reference 03, decision that denied benefits because of a failure to report as directed. After due notice was issued, a telephone conference hearing was held on March 11, 2009. Claimant participated.

**ISSUE:**

The issue is whether failed to report to Iowa Workforce Development (IWD) as directed.

**FINDINGS OF FACT:**

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: A notice was mailed to the claimant to report to IWD on February 19, 2009 or register for work online. No information was provided by the Iowa workforce Development as to the date of mailing of this notice. The claimant did not open get the notice from her mail box until February 20, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant has established a good-cause reason for having failed to report as directed.

871 IAC 24.2(1)e provides:

e. In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual shall report as directed to do so by an authorized representative of the department. If the individual has moved to another locality, the individual may register and report in person at a workforce development center at the time previously specified for the reporting.

The method of reporting and the payment of benefits, provided the individual is otherwise eligible, shall be on a biweekly basis by mail if the claimant files a Form 60-0151.

The method of reporting shall be weekly if a voice response continued claim is filed, unless otherwise directed by an authorized representative of the department. An individual who files a voice response continued claim will have the benefit payment automatically deposited weekly in the individual's financial institution's account or be paid by the mailing of a warrant on a biweekly basis.

In order for an individual to receive payment by direct deposit, the individual must provide the department with the appropriate bank routing code number and a checking or savings account number.

The department retains the ultimate authority to choose the method of reporting and payment.

871 IAC 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.

Since claimant has established a good-cause reason for failing to report as directed, benefits are allowed.

**DECISION:**

The February 20, 2009, reference 03, decision is reversed. The claimant has established a good cause reason for failing to report as directed. Benefits are allowed, provided the claimant is otherwise eligible.

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James Elliott  
Administrative Law Judge

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Decision Dated and Mailed

jfe/kjw