

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KYLE J TAYLOR
Claimant

APPEAL NO. 14A-UI-08075-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/20/14
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 August 5, 2014, reference 03, that concluded he was ineligible for benefits for the week ending July 5, 2014, because he was not available for work. A telephone hearing was held on August 27, 2014. The claimant participated in the hearing.

ISSUE:

Was the claimant able to and available for work?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of April 20, 2014.

When the claimant filed his weekly claim for the week ending July 5, 2014, by phone, he pressed the wrong button and answered the question "Were you available for work?" "No." This was an error as he was fully able to and available for work that week.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant is ineligible for benefits for the week ending July 5, 2014, because he was not available for work.

The unemployment insurance law provides that a claimant must be able to work, available for work, and actively seeking employment. Iowa Code § 96.4-3.

The claimant should not be subject to a disqualification because the response he provided was simply an error in pressing the buttons on his phone.

DECISION:

The unemployment insurance decision dated August 5, 2014, reference 03, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

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