

FINDINGS OF FACT:

The claimant broke her arm just before she established her claim for unemployment insurance benefits during the week of August 28, 2005. The claimant's arm was in a cast. The claimant's doctor indicated she could work if she could find a job just cleaning tables or windows that only required the use of one arm.

The claimant's doctor released her to work without any restrictions on October 12, 2005. The claimant no longer has a cast on her arm.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, she must be able to and available for work. Iowa Code §96.4-3. The law presumes a claimant is not available for work when she unduly limits her availability to work because she is willing to work only in a specific area even though suitable work is available in other areas in which the claimant has experience and is expected to be available for work. 871 IAC 24.23(18).

The facts establish that from August 28 through October 12, 2005, the claimant was not available for work because she is only looking for a tailor-made job that only requires her to use one hand. The claimant is only available to work a tailor-made job that fits within the medical restrictions she had during this time as a result of a broken arm. For unemployment insurance purposes, the claimant is not eligible to receive unemployment insurance benefits from August 28 through October 12, 2005 because she is not available for work in a job in which she has experience and is not tailor-made for her short-term medical restrictions.

DECISION:

The representative's September 21, 2005 decision (reference 02) is modified in the claimant's favor. The claimant is not eligible to receive unemployment insurance benefits as of August 28, 2005, because her work restrictions make her unavailable to work for unemployment insurance purposes. The claimant is, however, eligible to receive benefits as of October 9, 2005 because as of October 12, her doctor released the claimant to work full-time without any work restrictions.

dlw/s