

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**STEPHANIE L FLORYANCIC**  
Claimant

**APPEAL NO. 17A-UI-09382-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 07/23/17**  
**Claimant: Appellant (2)**

Iowa Code § 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated September 6, 2017 reference 03, which held claimant not able and available for work. After due notice, a hearing was scheduled for and held on September 21, 2017. Claimant participated personally.

**ISSUE:**

The issue in this matter is whether claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant's hand was injured by her domestic abusing boyfriend on or around July 10, 2017. Claimant stated that throughout the time of this injury, and afterward, claimant continued to attempt to find employment. She was able and available for work throughout all relevant times.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.4(3) provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph (1), or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant has established the ability to work. Benefits shall be allowed effective August 13, 2017 as long as she is otherwise eligible for benefits.

**DECISION:**

The decision of the representative dated September 6, 2017, reference 03 is reversed. Claimant is eligible to receive unemployment insurance benefits, effective August 13, 2017, provided claimant meets all other eligibility requirements. The administrative law judge does note that claimant has been found ineligible for benefits in case 17A-UI-09100.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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