

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JA'LON J JACKSON**  
Claimant

**APPEAL 17A-UI-07027-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/30/17  
Claimant: Appellant (2)**

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Iowa Code § 96.4(3) - Able and Available  
Iowa Admin. Code r. 871-24.2(1)e – Notice to Report  
Iowa Admin. Code r. 871-24.23(11) – Failure to Report

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the July 7, 2017, (reference 03) unemployment insurance decision that denied benefits because of a failure to report as directed. After due notice was issued, a telephone conference hearing was set for July 27, 2017. Claimant participated.

**ISSUE:**

Did the claimant fail to report as directed or offer a good cause reason for failure to do so?

**FINDINGS OF FACT:**

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: On June 23, 2017, a notice was mailed to the claimant to be available for a call from IWD on July 5, 2017, regarding his report that he was not able to or available for work during the one week ending June 17, 2017. He did not report because he was working. Claimant called the agency the next day on July 6, 2017, to resolve the issue. The reporting issue has been resolved in a separate appeal.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the underlying issue was resolved in a separate appeal, and the claimant has established a good cause reason for having failed to report as directed.

Iowa Code section 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".

Iowa Admin. Code r. 871-24.23(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 and he reported to the agency the next day, benefits are allowed.

**DECISION:**

The July 7, 2017, (reference 03) unemployment insurance decision is reversed. The claimant has established a good cause reason for failing to report as directed. Benefits are allowed effective July 2, 2017, provided he is otherwise eligible.

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Christine A. Louis  
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Decision Dated and Mailed

cal/scn