

**IN THE IOWA ADMINISTRATIVE HEARINGS DIVISION  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**VINCENT WILLAUER**  
Claimant

**IOWA WORKFORCE DEVELOPMENT  
RESEA**

**APPEAL 25A-UI-02159-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 01/19/25  
Claimant: Appellant (4)**

Iowa Code § 96.4(3) – Available for work  
Iowa Code § 96.4(7) – Reemployment services  
Iowa Admin. Code r. 871-24.6 – Profiling for reemployment services  
Iowa Admin. Code r. 871-24.2(1)e – Procedures for workers desiring to file a claim for benefits  
Iowa Admin. Code r. 871-24.23 (11) – Failure to Report

**STATEMENT OF THE CASE:**

Claimant Vincent Willauer filed an appeal from the March 6, 2025 (reference 03) unemployment insurance decision that found claimant was not eligible for unemployment benefits because claimant failed to report for a reemployment services appointment. The parties were properly notified of the hearing. Administrative Law Judge Elizabeth A. Johnson held a telephone hearing at 11:00 a.m. on Monday, April 7, 2025. Claimant Vincent Willauer participated personally. Emily Teeter, Lead RCM Career Planner, participated on behalf of Iowa Workforce Development (“IWD”). IWD Exhibits 1 through 7 were admitted.

**ISSUES:**

Is the claimant available for work effective March 2, 2025?  
Did the claimant fail to report as directed by a department representative to participate in a reemployment services appointment or offer justifiable cause for their failure to do so?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

The claimant filed a claim for unemployment insurance benefits with an effective date of January 19, 2025. Iowa Workforce Development identified him to participate in reemployment services, as he filed a claim for benefits and was not on a temporary layoff with an expectation to return to work within four weeks. He participated in an initial appointment on February 4, 2025; and a subsequent appointment on February 25, 2025.

At the February 25 appointment, claimant agreed to participate in four additional reemployment services activities. Among these, he agreed to set up and create Virtual Recruiter on IowaWorks by March 4, 2025. Claimant did not get that task completed by the deadline. He had also received a notice to report for a claim-filing computer lab occurring on March 4.

Claimant attended that computer lab and mistakenly believed that satisfied the Virtual Recruiter requirement as well. The computer lab did not involve searching for work.

After claimant failed to complete the Virtual Recruiter activity by the deadline, IWD issued the March 6, 2025 (reference 03) decision locking his claim effective March 2, 2025. On March 11, 2025, claimant reached out to the Dubuque IowaWorks office to inquire about the decision he received. He was advised that his claim was locked because he had not completed the Virtual Recruiter. Claimant went into IowaWorks and completed the activity that day. On March 12, 2025, IWD issued the reference 04 decision unlocking claimant's claim effective March 9, 2025—the week he completed the Virtual Recruiter Activity.

### **REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant did not provide justifiable cause for the failure to complete the required activity. Benefits are denied for the one week ending March 8, 2025. Thereafter, benefits are allowed effective March 9, 2025, provided claimant is otherwise eligible.

Iowa Code § 96.4(7) provides:

Required findings.

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

(7) The individual participates in reemployment services as directed by the department pursuant to a profiling system, established by the department, which identifies individuals who are likely to exhaust benefits and be in need of reemployment services.

Iowa Admin. Code r. 871-24.6 provides:

Reemployment services and eligibility assessment procedure.

(1) The department will provide a program that consists of providing reemployment services.

(2) Purpose. The eligibility assessment program is used to accelerate the individual's return to work and systematically review the individual's efforts towards the same goal.

(3) Reemployment services and eligibility assessment may include but are not limited to the following:

- a. An assessment of the claimant's aptitude, work history, and interest.
- b. Employment counseling regarding reemployment approaches and plans.
- c. Job search assistance and job placement services.
- d. Labor market information.
- e. Job search workshops or job clubs and referrals to employers.
- f. Résumé preparation.
- g. Other similar services.

(4) As part of the initial intake procedure, each claimant is to provide the information necessary for profiling and evaluation of the likelihood of needing reemployment assistance.

(5) The referral of a claimant and the provision of reemployment services is subject to the availability of funding and class size limitations.

(6) A claimant must participate in reemployment services when referred by the department unless the claimant has previously completed such training or services or demonstrates to the department of other good cause prior to the appointment or service.

a. Failure to participate without good cause will disqualify the claimant from receiving benefits until the claimant participates in the reemployment services or eligibility assessment.

b. Good cause for failure to participate is an important and significant reason that a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant.

(7) Eligibility assessment procedure.

a. Before an individual has claimed five weeks of intrastate benefits, the workforce development center will receive a computer-selected list of individuals claiming benefits within the target population for review.

b. No eligibility assessment will be performed on an individual unless monetary eligibility and nonmonetary eligibility are established.

c. Once selected for an initial or subsequent eligibility assessment, claimants are required to participate.

d. A Notice to Report shall be sent by the workforce development center to an individual who is in an active status at the time of its printing. If the individual does not respond, the department will issue an appropriate failure to report decision and lock the claim to prevent payment.

e. Selected claimants must participate in staff-assisted services for the initial assessment.

(8) Conducting the first eligibility assessment interview.

a. All available evidence will be examined to detect potentially disqualifying issues.

b. The individual's need for advice, assistance or instructions will be determined and conveyed to the individual.

c. The interview will convey to the individual the requirements that must be satisfied to maintain eligibility.

d. This advice, assistance or instruction constitutes an understanding and agreement between the individual and the unemployment insurance representative at the conclusion of the interview regarding the individual's willingness and ability to eliminate any barriers to obtaining reemployment that otherwise would result in referral for adjudication.

e. The individual will be advised of what constitutes an acceptable effort to obtain reemployment in accordance with state policy, with

consideration for local labor market information and the individual's occupation.

f. The final objective of the interview is to determine whether a subsequent interview is needed. This determination is based on expected return to work date, job openings in the area, local labor market conditions, and other relevant factors.

Iowa Admin. Code r. 871-24.2(1)d provides the following in a rule titled "Procedures for workers desiring to file a claim for benefits for unemployment insurance:"

(1) Filing a benefit claim.

e. In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual must report as directed by 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.

(1) An individual who files a weekly continued claim will have the benefit payment automatically deposited weekly on a debit card specified by the department.

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

Iowa Admin. Code. R. 871-24.16 provides a list of reasons for disqualifying a claimant for being unavailable for work. Among these reasons, 871 IAC 24.16(10) states: "Failure to report as directed to the department in response to a notice sent to the claimant."

If the department identifies a claimant who is likely to exhaust benefits, in order to be eligible for weekly benefits a claimant must report as directed to participate in reemployment services. Iowa Code § 96.4(7). Unemployment insurance rules require a claimant to participate in reemployment services when referred by the department unless the claimant establishes justifiable cause for failure to participate or the claimant has previously completed such training or services. Iowa Admin. Code r. 871-24.6(6). Failure by the claimant to participate without justifiable cause shall disqualify the claimant from the receipt of benefits until the claimant participates in the reemployment services. *Id.* Justifiable cause for failure to participate includes an important and significant reason which a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant. Justifiable cause includes when the claimant is scheduled for an employment interview, is verified return to work, or both prior to the scheduled appointment or service. *Id.* The claimant shall contact the agency prior to the scheduled appointment or service to advise the department of the justifiable cause. *Id.* Failure to report for the appointment, failure to contact the agency prior to the scheduled appointment or service to advise the department of the justifiable cause for missing the appointment, or failure to have justifiable cause for failing to report for the appointment means the claimant has failed to meet the availability requirements of the law. *Id.*

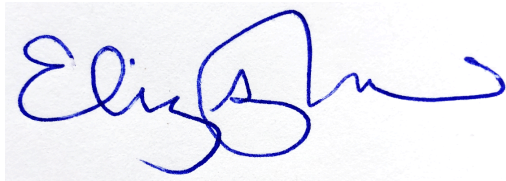
In this case, claimant Vincent Willauer was aware of his obligation to complete the Virtual Recruiter activity by March 4, 2025. He failed to meet the deadline for completing this activity. While the administrative law judge is sympathetic to his confusion, claimant was at a local office and could have asked any of the staff-members to clarify whether the computer lab he attended met his Virtual Recruiter requirement. He did not do this, and he did not take any other steps

beyond simply assuming that the computer lab was sufficient for all his obligations. Claimant's assumption was incorrect. The evidence shows claimant failed to complete the required activity by the deadline, and therefore benefits must be denied effective March 2, 2025.

When claimant completed the activity the following week, he satisfied the requirement and IWD issued a subsequent decision unlocking his claim as of that week. This decision will reflect that his claim is only locked for the one week that he missed the deadline and did not remedy the issue.

**DECISION:**

The March 6, 2025 (reference 03) unemployment insurance decision is modified in favor of claimant Vincent Willauer. The claimant did not provide good cause for having failed to report for a reemployment services obligation. Benefits are denied effective March 2, 2025, only for the week ending March 8, 2025. Thereafter, benefits are allowed effective March 9, 2025.



---

Elizabeth A. Johnson  
Administrative Law Judge

April 11, 2025  
Decision Dated and Mailed

lj/scn

**APPEAL RIGHTS.** If you disagree with the decision, you or any interested party may:

1. Appeal to the Employment Appeal Board within fifteen (15) days of the date under the judge's signature by submitting a written appeal via mail, fax, or online to:

**Iowa Employment Appeal Board  
6200 Park Avenue Suite 100  
Des Moines, Iowa 50321  
Fax: (515)281-7191  
Online: [eab.iowa.gov](http://eab.iowa.gov)**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**AN APPEAL TO THE BOARD SHALL STATE CLEARLY:**

- 1) The name, address, and social security number of the claimant.
- 2) A reference to the decision from which the appeal is taken.
- 3) That an appeal from such decision is being made and such appeal is signed.
- 4) The grounds upon which such appeal is based.

An Employment Appeal Board decision is final agency action. If a party disagrees with the Employment Appeal Board decision, they may then file a petition for judicial review in district court.

2. If no one files an appeal of the judge's decision with the Employment Appeal Board within fifteen (15) days, the decision becomes final agency action, and you have the option to file a petition for judicial review in District Court within thirty (30) days after the decision becomes final. Additional information on how to file a petition can be found at Iowa Code §17A.19, which is online at <https://www.legis.iowa.gov/docs/code/17A.19.pdf> or by contacting the District Court Clerk of Court <https://www.iowacourts.gov/iowa-courts/court-directory/>.

**Note to Parties:** YOU MAY REPRESENT yourself in the appeal or obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds.

**Note to Claimant:** It is important that you file your weekly claim as directed, while this appeal is pending, to protect your continuing right to benefits.

**SERVICE INFORMATION:**

A true and correct copy of this decision was mailed to each of the parties listed.

**DERECHOS DE APELACIÓN.** Si no está de acuerdo con la decisión, usted o cualquier parte interesada puede:

1. Apelar a la Junta de Apelaciones de Empleo dentro de los quince (15) días de la fecha bajo la firma del juez presentando una apelación por escrito por correo, fax o en línea a:

**Iowa Employment Appeal Board  
6200 Park Avenue Suite 100  
Des Moines, Iowa 50321  
Fax: (515)281-7191  
En línea: [eab.iowa.gov](http://eab.iowa.gov)**

El período de apelación se extenderá hasta el siguiente día hábil si el último día para apelar cae en fin de semana o día feriado legal.

**UNA APELACIÓN A LA JUNTA DEBE ESTABLECER CLARAMENTE:**

- 1) El nombre, dirección y número de seguro social del reclamante.
- 2) Una referencia a la decisión de la que se toma la apelación.
- 3) Que se interponga recurso de apelación contra tal decisión y se firme dicho recurso.
- 4) Los fundamentos en que se funda dicho recurso.

Una decisión de la Junta de Apelaciones de Empleo es una acción final de la agencia. Si una de las partes no está de acuerdo con la decisión de la Junta de Apelación de Empleo, puede presentar una petición de revisión judicial en el tribunal de distrito.

2. Si nadie presenta una apelación de la decisión del juez ante la Junta de Apelaciones Laborales dentro de los quince (15) días, la decisión se convierte en acción final de la agencia y usted tiene la opción de presentar una petición de revisión judicial en el Tribunal de Distrito dentro de los treinta (30) días después de que la decisión adquiriera firmeza. Puede encontrar información adicional sobre cómo presentar una petición en el Código de Iowa §17A.19, que se encuentra en línea en <https://www.legis.iowa.gov/docs/code/17A.19.pdf> o comunicándose con el Tribunal de Distrito Secretario del tribunal <https://www.iowacourts.gov/iowa-courts/court-directory/>.

**Nota para las partes:** USTED PUEDE REPRESENTARSE en la apelación u obtener un abogado u otra parte interesada para que lo haga, siempre que no haya gastos para Workforce Development. Si desea ser representado por un abogado, puede obtener los servicios de un abogado privado o uno cuyos servicios se paguen con fondos públicos.

**Nota para el reclamante:** es importante que presente su reclamo semanal según las instrucciones, mientras esta apelación está pendiente, para proteger su derecho continuo a los beneficios.

**SERVICIO DE INFORMACIÓN:**

Se envió por correo una copia fiel y correcta de esta decisión a cada una de las partes enumeradas.