

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CARRIE J BAHLMANN**  
Claimant

**APPEAL 18A-UI-10888-JC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/09/18  
Claimant: Appellant (1)**

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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:**

The claimant/appellant filed an appeal from the October 25, 2018 (reference 02) 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. A telephone hearing was held on November 29, 2018. The claimant participated personally. Larry Faber, Workforce Advisor, participated on behalf of Iowa Workforce Development (“IWD”). Claimant Exhibit A and IWD Exhibits 1-4 were admitted. The administrative law judge took official notice of the claimant’s unemployment insurance benefits records. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUES:**

Is the claimant available for work effective October 21, 2018?  
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 September 9, 2018. On October 5, 2018, claimant was mailed a notice to report to the Mason City IowaWorks office on October 16, 2018 at 9:30 a.m. (IWD Exhibit 1). The claimant received the notice and contacted Mr. Faber on October 16, 2018, asking for the meeting to be rescheduled due to a job interview. She and Mr. Faber agreed to reschedule the meeting to October 23 at 9:30 a.m. and a second notice to report was mailed to the claimant (IWD Exhibit 2).

Claimant received the notice to report but did not report for the appointment because she mixed up the dates and was busy at her significant other’s farm tending to an unexpected issue. Claimant did not contact IWD prior to the appointment to inform it of the reason claimant could

not attend the appointment. Thereafter, the reference 03 initial decision was rendered, concluding the claimant was eligible for benefits effective November 25, 2018 because she completed the required re-employment assessment.

Claimant has been able to and available for work since October 21, 2018. Claimant has made appropriate employer contacts each week in which claimant has filed weekly-continued claims for benefits. Claimant will begin new full-time employment next week with Sparboe Farms.

**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 report as directed to participate in a reemployment services appointment. Benefits are denied October 21 through November 24, 2018.

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. Iowa Admin. Code r. 871-24.6(6). Justifiable cause for failure to participate is defined as “an important and significant reason which a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant.” Iowa Admin. Code r. 871-24.6(6). The claimant shall contact the agency prior to the scheduled appointment or service to advise the department of the justifiable cause. Iowa Admin. Code r. 871-24.6(6). Failure to report or have justifiable cause for failing to report means the claimant has failed to meet the availability requirements of the law. Iowa Admin. Code r. 871-24.2(1)e and 871-24.23(11).

In this case, the claimant received the notice to report to the re-employment services meeting on October 23, 2018 and failed to report as directed. The claimant did not notify IWD in advance of October 23, 2018 that she would not be able to make the meeting. The claimant's failure to attend was due to personal matters. The administrative law judge is sympathetic to the claimant but the credible evidence presented does not establish justifiable cause for her failure to report as directed for a reemployment services appointment under Iowa law. Benefits are denied October 21 through November 24, 2018.

**DECISION:**

The October 25, 2018 (reference 02) unemployment insurance decision is affirmed. The claimant has not provided justifiable cause for having failed to report for a reemployment services appointment. Benefits are denied October 21 through November 24, 2018.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

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