

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**JEDIDIAH J KEA**  
Claimant

**APPEAL NO: 11A-UI-13356-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/31/11  
Claimant: Appellant (2)**

Section 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated October 4, 2011, reference 04, that made him ineligible for benefits for the week ending October 1, 2011 due to a lack of transportation. A telephone hearing was held on November 7, 2011. The claimant participated.

**ISSUE:**

The issue is whether the claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge having heard the claimant's testimony and having considered the evidence in the record, finds: The claimant filed an unemployment claim effective July 31, 2011. The claimant has not had a valid driver's license for years. He relied upon a supervisor to drive him to and from work in his most recent job.

During the week ending October 1, 2011, claimant searched for work in his area of residence in Anamosa, Iowa before moving to Hiawatha where he recently started employment.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 24.2(1)e provides:

e. In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual shall report as directed to do so by an authorized representative of 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.

The method of reporting and the payment of benefits, provided the individual is otherwise eligible, shall be on a biweekly basis by mail if the claimant files a Form 60-0151.

The method of reporting shall be weekly if a voice response continued claim is filed, unless otherwise directed by an authorized representative of the department. An individual who files a voice response continued claim will have the benefit payment automatically deposited weekly in the individual's financial institution's account or be paid by the mailing of a warrant on a biweekly basis.

In order for an individual to receive payment by direct deposit, the individual must provide the department with the appropriate bank routing code number and a checking or savings account number.

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

The administrative law judge concludes that the claimant was able and available for work the week ending October 1, 2011 and no benefit disqualification is imposed.

**DECISION:**

The department decision dated October 4, 2011, reference 04, is reversed. Benefits are allowed the week ending October 1, 2011, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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