

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILL J SCHOTT**  
Claimant

**APPEAL NO. 16A-UI-01288-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/03/16**  
**Claimant: Appellant (4)**

871 IAC 24.2(1)e – Failure to Report

**STATEMENT OF THE CASE:**

Will Schott (claimant) appealed a representative's January 26, 2016, decision (reference 01) that concluded he had failed to respond to a letter of inquiry and was, therefore, not eligible to receive unemployment insurance benefits. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on February 25, 2016. The claimant participated personally. Aleisha Woods observed the hearing. Exhibit D-1 and D-2 were received into evidence.

**ISSUE:**

The issue is whether the claimant failed to report as directed.

**FINDINGS OF FACT:**

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: On January 12, 2016, a letter of inquiry was mailed to the claimant to respond to IWD by January 22, 2016. The letter stated that the claimant's failure to respond by January 22, 2016, would result in his disqualification for benefits. With the claimant's appeal letter he provided a completed letter of inquiry form indicating he is not receiving payment from pension. He selected the answer in error.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes benefits are allowed as of January 31, 2016, provided claimant is otherwise eligible.

Iowa Admin. Code r. 871-24.2(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.

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.

The claimant was directed to report to the Agency by January 22, 2016. The claimant did not report to the Agency. When a claimant does not report as directed by a letter of inquiry, he will not be qualified to receive benefits. The claimant is not eligible to receive unemployment insurance benefits for the two-week period ending January 30, 2016, due to his failure to respond. The claimant properly appealed his decision and reported his information about the pension at the hearing. He is eligible to receive unemployment insurance benefits again as of January 31, 2016.

#### **DECISION:**

The representative's January 26, 2016, decision (reference 01) is modified in favor of the claimant. The claimant did fail to report as directed. The claimant is not eligible to receive unemployment insurance benefits for the two-week period ending January 30, 2016, due to his failure to respond. Benefits are allowed effective January 31, 2016, provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs