

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

FRANKLIN D D BOCK
Claimant

APPEAL NO. 10A-UI-10076-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/18/10
Claimant: Appellant (2)**

871 IAC 24.2(1)e – Failure to Report as Directed

STATEMENT OF THE CASE:

The claimant appealed a representative's July 12, 2010 decision (reference 03) that held him ineligible to receive benefits as of July 10, 2010, because he did not report to his local Workforce office as directed. A telephone hearing was held on August 28, 2010. Emogene Peters appeared on the claimant's behalf. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant fail to report to his local Workforce office or be available for a phone call as directed?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of April 16, 2010. He filed a claim for the week ending July 10, 2010. The claimant did not receive any written notice that he was to report to his local Workforce office in late June or early July or to be available for a phone call during this time. The Department did not have the claimant's complete mailing address on the representative's July 12 decision. The lot or trailer number was not listed. Not all postal workers deliver mail in the claimant's trailer court if the trailer number or lot number is not part of the address.

The claimant filed an appeal from the July 12, 2010 decision on July 15, 2010.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must be able to and available for work. Iowa Code § 96.4-3. To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1)e. A claimant's failure to report as directed without justifiable cause shall make a claimant ineligible to receive benefits until she reports as a representative had directed her to do. Justifiable cause is defined as an important and significant reason that a reasonable person would consider adequate. 871 IAC 24.2(1)e.

The facts establish the claimant did not receive notice that he was to report to his local Workforce office by a certain day in late June or early July. The claimant also did not receive any notice that a local representative would call him on a certain day at a designated time. Since the claimant did not receive information to report to his local Workforce office or be available for a phone call on a specified date and time, he cannot be held ineligible to receive benefits based on something he had no knowledge about. Therefore, the claimant is not denied benefits as of July 10 and he is eligible to receive benefits for the week ending July 10, 2010.

DECISION:

The representative's July 12, 2010 decision (reference 03) is reversed. The claimant did not receive any information from a representative to report to his local Workforce office or to be available for a phone call at a specified date and time. Therefore, he remains eligible to receive benefits as of July 10, 2010. The claimant is eligible to receive benefits for the week ending July 10, 2010.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw