

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

LYNETTE S VOLLERS
PO BOX 162
KELLOGG IA 50135

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-08044-CT
OC: 11/16/03 R: 02
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

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.

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.

YOU MAY REPRESENT yourself in this appeal or you may 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. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC 24.2(1)e – Reporting Requirements

STATEMENT OF THE CASE:

Lynnette Vollers filed an appeal from a representative's decision dated July 20, 2004, reference 07, which denied benefits effective July 11, 2004 on a finding that she failed to report to her local office as directed. After due notice was issued, a hearing was held by telephone on August 17, 2004. Ms. Vollers participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: On July 9, 2004, Workforce Development mailed Ms. Vollers a notice to be available by telephone between 2:00 and 3:00 p.m. on July 15, 2004 for an

interview. She did not receive the notice to report and, therefore, was not available at the scheduled time.

The interview was due to the fact that Ms. Vollers had indicated she was not available for work when she filed her claim for the week ending July 3, 2004. She inadvertently pushed the wrong button when reporting on her claim for the week.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Vollers had good cause for not being available for the July 15, 2004 interview. Inasmuch as she did not receive the notice to be available, she could not have known to be available at the designated time. Therefore, she had good cause for not being reporting. Because she was available for work during the week ending July 3, 2004, no disqualification is imposed.

DECISION:

The representative's decision dated July 20, 2004, reference 07, is hereby reversed. Ms. Vollers had good cause for not reporting to her local office as directed. She satisfied the availability requirements of the law for the week ending July 3, 2004. Benefits are allowed, provided Ms. Vollers satisfies all other conditions of eligibility.

cfc/b