

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KASHANA T GOHL
Claimant

APPEAL NO: 13A-UI-11253-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MID-STEP SERVICES INC
Employer

**OC: 09/01/13
Claimant: Appellant (4)**

Iowa Code § 96.4(3) – Able to and Available for Work

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's September 24, 2013 determination (reference 03) that held her eligible to receive benefits as of September 22, 2013. Reference 03 modified another determination issued on September 24 (reference 01) that had held the claimant ineligible to receive benefits as of September 1 because she was unable to work because of her pregnancy. The claimant appealed reference 03 because her physician released her to work before September 22, 2013.

The claimant participated in the hearing. Jan Hackett, the human resource director, appeared on the employer's behalf. During the hearing, Claimant Exhibit A was offered and admitted as evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge finds the claimant was able to and available for work as of August 12, 2013, and is eligible to receive benefits as of September 1, 2013.

ISSUE:

What date was the claimant released to work by her physician?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of September 1, 2013. The claimant's physician stated on September 30, 2013, that the claimant had been released to work without any work restrictions as of August 12, 2013. (Claimant Exhibit A.)

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, she must be able to and available for work. Iowa Code § 96.4(3). The claimant's physician verified that she was released to work as of August 12, 2013, without any work restrictions. Therefore, as of September 1, 2013, the claimant is eligible to receive benefits because she established she was medically able to work before that date.

DECISION:

The representative's September 24, 2013 determination (reference 03) is modified in the claimant's favor. The claimant's physician verified that as of August 12, 2013, the claimant was released to work without any work restrictions. Therefore, she is eligible to receive benefits as of September 1, 2013, provided she meets all other eligibility requirements.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs