

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LESA M LEGGETT

Claimant

APPEAL NO: 06A-UI-09090-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/21/06 R: 04
Claimant: Appellant (2-R)**

Section 96.4(3) – Able and Available
Section 871 IAC 24.2(1)e – Reporting Requirements

STATEMENT OF THE CASE:

Lesa Leggett filed an appeal from a representative's decision dated September 1, 2006, reference 02, which denied benefits effective August 27, 2006 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 September 26, 2006. Ms. Leggett participated personally.

ISSUE:

At issue in this matter is whether Ms. Leggett has established good cause for not reporting to her local Workforce Development office as directed.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: On August 23, 2006, Workforce Development mailed a notice to Ms. Leggett advising that a telephone interview had been scheduled for August 31, 2006 between 10:00 and 11:00 a.m. She received the notice but was not available at the time of the interview. She had to go out of town because of her husband's hospitalization. Ms. Leggett was bringing her husband home from the hospital on the day of the interview.

The purpose of the telephone interview on August 31 was to question Ms. Leggett concerning a voice response she made when calling in her claim for the week ending August 19, 2006. She did work during the week for a temporary service and reported wages of \$120.00 for the week.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge concludes that Ms. Leggett had good cause for not being available for the telephone interview on August 31, 2006. Her husband's hospitalization was justification for missing the interview. The hospitalization occupied no more than two days of Ms. Leggett's time during that week. Because she was available for work for the major portion of the

workweek, no disqualification is imposed. Accordingly, benefits are allowed effective August 27, 2006.

Ms. Leggett did work and did become separated from employment during the week ending August 19, 2006. The matter of that separation has not been adjudicated by Workforce Development. Therefore, this matter shall be remanded to Claims to reschedule the interview previously set for August 31, 2006 to discuss the separation.

DECISION:

The representative's decision dated September 1, 2006, reference 02, is hereby reversed. Ms. Leggett had good cause for not reporting to her local office as directed. Benefits are allowed effective August 27, 2006, provided she satisfies all other conditions of eligibility. This matter is remanded to Claims for a determination regarding the separation that occurred during the week ending August 19, 2006.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/cs