

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

APRIL D WINE
#4
1913 BUCKINGHAM DR
CEDAR RAPIDS IA 52405

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 05A-UCX-00012-H2T
OC: 07-31-05 R: 03
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 24.6(6) – Re-Employment Services

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the September 16, 2005, reference 03, decision that denied benefits from September 11, 2005 on a finding that she failed to participate in re-employment services. After due notice was issued, a hearing was held on October 20, 2005. The claimant did participate. Department's Exhibit D-1 was received.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: A notice was mailed to the claimant at her address of record indicating that she was to report to her local office to participate in re-employment services on September 14, 2005. The claimant failed to appear for the training because she had obtained part-time employment and was working at the

date and time of the re-employment training took place. The claimant went through re-employment training on September 21, 2005.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the claimant has established good cause for not participating in the re-employment services. Because the claimant was working at the time the re-employment services training took place, she has established good cause for not being available. The claimant has since completed re-employment training. Accordingly, the disqualification shall be removed from her record.

DECISION:

The representative's decision dated September 16, 2005, reference 03, is hereby reversed. The claimant has established good cause for not participating in re-employment services. Benefits are allowed effective September 11, 2005, provided the claimant is otherwise eligible.

tkh/s