

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

AUSTIN M CROCHET
Claimant

APPEAL NO. 19A-UI-02681-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 01/20/19
Claimant: Appellant (1)

Iowa Administrative Code Rule 871-24.2(1)(e) – Failure to Report as Directed

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the March 20, 2019, reference 04, decision that denied benefits effective March 3, 2019, based on the deputy's conclusion that the claimant failed to report as directed and therefore did not meet the availability requirement. After due notice was issued, a hearing was held on April 17, 2019. Claimant participated. Exhibit A was received into evidence. The administrative law judge took official notice of the following Agency administrative records: DBRO, KCCO, and KFFV.

ISSUE:

Whether the claimant failed to report to Iowa Workforce Development as directed during the week of March 3-7, 2019.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant established a claim for benefits that was effective January 20, 2019 and received benefits that included benefits for the week that ended February 23, 2019. When the claimant made his claim for that week, he reported that he was not able and/or available for work that week. This prompted Iowa Workforce Development to mail to the claimant notice of a fact-finding interview so that a deputy could discuss the weekly claim with Mr. Crochet. On February 28, 2019, Iowa Workforce Development mailed notice to the claimant of a fact-finding interview set for 3:10 p.m. on March 7, 2019. The noticed was mailed to the claimant's last-known address of record. The claimant was not monitoring or opening his mail and, for that reason, missed the fact-finding interview. The deputy then entered the decision that denied benefits effective March 3, 2019, based on the failure to report as directed.

REASONING AND CONCLUSIONS OF LAW:

In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual shall report as directed to do so by an authorized representative of the department. Iowa Administrative Code rule 871-24.2(1)(e). Failure to report as directed to workforce development in response to the notice which was mailed to the claimant will result in

the claimant being deemed not to meet the availability requirements. Iowa Administrative Code rule 871-24.23(11).

The weight of the evidence establishes that the claimant did indeed fail to report as directed for the March 7, 2019 fact-finding interview. The failure to report was entirely attributable to the claimant not reviewing or opening his mail. The agency appropriately denied benefits effective March 3 2019 based on the failure to report.

DECISION:

The March 20, 2019, reference 04, decision is affirmed. The claimant failed to report as directed for the March 7, 2019 fact-finding interview. Benefits are denied effective March 3, 2019 based on the failure to report.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs