

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ANTHONY C MORRIS

Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 17A-UI-02868-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 01/01/17

Claimant: Appellant (1)

Iowa Code § 96.4(3) - Able and Available
Iowa Admin. Code r. 871-24.2(1)e – Notice to Report
Iowa Admin. Code r. 871-24.23(11) – Failure to Report

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the March 13, 2017, (reference 03) unemployment insurance decision that denied benefits because of a failure to report as directed. After due notice was issued, a telephone conference hearing was held on April 7, 2017. The claimant participated. The administrative law judge took official notice of the administrative records including the fact-finding documents. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant fail to report as directed or offer a good cause reason for failure to do so?

FINDINGS OF FACT:

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: On February 24, 2017, a notice was mailed to the claimant to report to IWD regarding a pension. The claimant received letter of inquiry but did not respond and believed he threw away the letter in error. The claimant did not respond the letter of inquiry. The letter contained a warning that the letter must be returned by March 6, 2017 or the claimant will be disqualified from benefits.

The claimant is has not received any pension payments. The claimant expects to receive a lump sum payment for his 401K in the future but mistakenly pressed the button indicating he had a pension.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the underlying issue was the result of a reporting error, and the claimant has not established a good cause reason for having failed to report as directed.

The unemployment insurance law provides that a claimant must be able to work, available for work, and actively seeking employment. Iowa Code § 96.4-3. Under the unemployment insurance rules, a claimant who fails to report as directed to workforce development in response to a notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

In this case, the claimant was mailed and received a notice of inquiry on February 24, 2017 and did not respond to the letter because he accidentally threw it away. Based on the evidence presented, the claimant has not established a good cause reason for failing to report as directed, benefits are denied.

DECISION:

The March 13, 2017, (reference 03) unemployment insurance decision is affirmed. The claimant has not established a good cause reason for failing to report as directed. The underlying issue was the result of a reporting error. Benefits are denied effective March 5, 2017, through March 18, 2017.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/