

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JEROME M COOLIDGE**  
Claimant

**APPEAL NO. 09A-UI-19088-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**  
Employer

**OC: 11/08/09**  
**Claimant: Respondent (1)**

Section 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

The employer, Express Services, filed an appeal from a decision dated December 14, 2009, reference 02. The decision allowed benefits to the claimant, Jerome Coolidge. After due notice was issued a hearing was held by telephone conference call on January 29, 2010. The claimant participated on his own behalf. The employer participated by Staffing Consultant Holly Burtness.

**ISSUE:**

The issue is whether the claimant is able and available for work.

**FINDINGS OF FACT:**

Jerome Coolidge began employment with Express Services on April 24, 1996. His last assignment was for two days, November 9 through 11, 2009. He completed the assignment as agreed and has maintained contact with the employer for new assignments since that time. There are no restrictions on the shift he can work and he has transportation.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant is able and available for work to the same degree as he has been since the beginning of his employment.

**DECISION:**

The representative's decision of December 14, 2009, reference 02, is affirmed. Jerome Coolidge is able and available for work and eligible for unemployment benefits.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs