

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

THERESA E BUFFINGTON
Claimant

APPEAL NO. 09A-UI-08292-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Original Claim: 12/21/09
Claimant: Appellant (2)**

871 IAC 24.2(1)e – Failure to Report

STATEMENT OF THE CASE:

The claimant, Theresa Buffington, filed an appeal from a decision dated May 29, 2009, reference 01. The decision denied unemployment benefits because she failed to report as directed to Iowa Workforce Development. After due notice was issued, a hearing was held by telephone conference call on June 24, 2009. The claimant participated on her own behalf.

ISSUE:

The issue is whether the claimant failed to report as directed.

FINDINGS OF FACT:

The claimant was instructed to report to his local Workforce Center no later than May 21, 2009. The claimant failed to report because she did not receive the notice to report.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 24.2(1)e provides:

e. 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. If the individual has moved to another locality, the individual may register and report in person at a workforce development center at the time previously specified for the reporting.

The method of reporting and the payment of benefits, provided the individual is otherwise eligible, shall be on a biweekly basis by mail if the claimant files a Form 60-0151.

The method of reporting shall be weekly if a voice response continued claim is filed, unless otherwise directed by an authorized representative of the department. An individual who files a voice response continued claim will have the benefit payment

automatically deposited weekly in the individual's financial institution's account or be paid by the mailing of a warrant on a biweekly basis.

In order for an individual to receive payment by direct deposit, the individual must provide the department with the appropriate bank routing code number and a checking or savings account number.

The department retains the ultimate authority to choose the method of reporting and payment.

The claimant's reason for failing to report as directed does constitute good cause.

DECISION:

The representative's decision of May 29, 2009, reference 01, is reversed. The claimant's failure to report to the Iowa Workforce Development office was with good cause.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw