

with résumé services. Mr. McConnell had already attended a three-hour session for re-employment services. On August 5, 2005, he accepted an offer to begin full-time work on September 6, 2005. Because he already had employment, he did not feel he needed résumé services. However, he did not notify Workforce Development that he would not be reporting for the meeting of August 24.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. McConnell has presented sufficient justification for failing to participate in re-employment services on August 24, 2005. He already had employment, which was to start on September 6, and, therefore, did not feel he needed résumé services. The fact that he already had employment constituted good cause for not participating in re-employment services on August 24. Mr. McConnell used poor judgment in not notifying Workforce Development that he would not be participating.

Inasmuch as Mr. McConnell had good cause for not participating in re-employment services, the disqualification shall be removed. However, there remains an issue of Mr. McConnell's availability for work between August 5 and September 6, 2005. During this time frame, he was waiting to go to work for a specific employer and was also claiming job insurance benefits. There is an issue of whether he was available to accept other work prior to the start of his new employment. Therefore, the matter shall be remanded to Claims for an investigation and determination on the issue.

DECISION:

The representative's decision dated August 26, 2005, reference 03, is hereby reversed. Mr. McConnell had good cause for not participating in re-employment services on August 24, 2005. Benefits are allowed effective August 21, 2005, provided he satisfies all other conditions of eligibility. This matter is remanded to Claims to investigate the matter of Mr. McConnell's availability during the period from August 5 through September 6, 2005.

cfc/s