

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

TODD D HOCRAFFER  
1118 – 14<sup>TH</sup> AVE SW  
CLARION IA 50525

IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT

Appeal Number: 05A-UI-12235-JTT  
OC: 10/02/05 R: 03  
Claimant: Appellant (2)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

871 IAC 24.2(1)(e) – Requirement to Report as Directed

STATEMENT OF THE CASE:

Claimant Todd Hocraffer filed a timely appeal from the November 28, 2005, reference 02, decision that denied benefits based on a failure to report as directed. After due notice was issued, a hearing was held on December 20, 2005. Mr. Hocraffer participated. The administrative law judge took official notice of the Agency administrative file and received Department Exhibit D-1 into evidence.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant Todd Hocraffer established a claim for benefits that was effective October 2, 2005. On October 24, 2005, Workforce Development mailed to Mr. Hocraffer a notice to report to the Cedar Rapids Workforce Development Center on November 2, 2005, between 8:00 a.m. and

3:30 p.m. The notice was mailed to Mr. Hocraffer's last known address: 125 E. Boyson Road, Unit 605, Hiawatha, Iowa 52233. At the end of October, Mr. Hocraffer relocated from Hiawatha to Clarion. Mr. Hocraffer properly notified the United States Postal Service of the move and made arrangements to have his mail forwarded to Clarion. Mr. Hocraffer did not receive the notice to report that Workforce Development had mailed to his Hiawatha address. Mr. Hocraffer contacted the Clarion Workforce Development Center on October 31, 2005 to register for work. The Clarion Workforce staff referred Mr. Hocraffer to the Webster City Workforce Development Center and Mr. Hocraffer immediately contacted that office. The Webster City Workforce staff advised Mr. Hocraffer that he could register for work via the Internet and Mr. Hocraffer did so. Mr. Hocraffer continued his claim for benefits by reporting on a weekly basis via the automated telephone system.

#### REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence in the record establishes that Mr. Hocraffer failed to report to Workforce Development as directed. It does not.

Workforce Development Rule 24.2(1)(e) provides as follows:

24.2(1) Section 96.6 of the employment security law of Iowa states that claims for benefits shall be made in accordance with such rules as the department prescribes. The department of workforce development accordingly prescribes:

(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.

See 871 IAC 24.2(1)(e).

The evidence in the record establishes that Mr. Hocraffer did not receive the notice that directed him to report to his local Workforce Development Center on November 2. Nonetheless, Mr. Hocraffer did make timely contact with the Workforce Development Centers in Clarion and Webster City and followed the instructions the Webster City staff gave with regard to registering for employment. The evidence in the record does not establish that Mr. Hocraffer failed to report as directed. Accordingly, Mr. Hocraffer is eligible for benefits, provided he is otherwise eligible.

#### DECISION:

The Agency representative's November 28, 2005, reference 02, decision that denied benefits as of November 20, 2005, is reversed. The claimant did not fail to report as directed by the Agency. The claimant is eligible for benefits, provided he is otherwise eligible.

jt/kjw