

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRETT C KOONTZ
Claimant

APPEAL NO. 13A-UI-03032-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 01/27/13
Claimant: Appellant (2-R)

Section 96.4-3 - Able to and Available for Work

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated March 11, 2013, reference 03, that concluded he was not able to work. A telephone hearing was held on April 11, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Exhibit A-1 was admitted into evidence at the hearing.

ISSUE:

Was the claimant able to and available for work?

FINDINGS OF FACT:

The claimant filed a new claim for unemployment insurance benefits with an effective date of January 27, 2013. His treating physician's assistant has certified that the claimant was able to work without restrictions since January 2013. He has been actively looking for full-time work.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant is able to work, available for work, and earnestly and actively seeking work as required by the unemployment insurance law in Iowa Code § 96.4-3. The claimant is able to and available for work without restrictions. He is qualified to receive unemployment insurance benefits effective January 27, 2013, if he is otherwise eligible.

The claimant declined an offer of work during the week ending February 16, 2013, due to the low pay offered on the job and the commuting distance to the job. He reported it on his weekly claim, but the issue has not been determined yet.

DECISION:

The unemployment insurance decision dated March 11, 2013, reference 03, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible. The issue of whether the claimant failed to accept suitable work without good cause is remanded to the Agency.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css