

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

NICHOLAS A JOYCE
Claimant

APPEAL NO. 13A-UI-08086-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 07/08/12
Claimant: Appellant (1)

871 IAC 24.2(1)e – Failure to Report

STATEMENT OF THE CASE:

Nicholas Joyce (claimant) appealed a representative's June 24, 2013 decision (reference 03) that concluded he had failed to respond to a call-in notice and was, therefore, not eligible to receive unemployment insurance benefits from June 16 through June 22, 2013. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on July 30, 2013. The claimant participated personally.

ISSUE:

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

FINDINGS OF FACT:

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: On June 11, 2013, a notice was mailed to the claimant to have an interview with IWD on June 20, 2013, or provide specific information to IWD prior to that date. The claimant received the notice. The claimant knew that he would not be available at the time of the interview but did not provide the information to IWD prior to June 20, 2013. The interviewer called the claimant at the time specified and received a message stating the customer was outside the calling area. The claimant's cell phone frequently goes in and out of signal.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant has not established a good cause reason for having failed to report as directed.

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.

871 IAC 24.23(11) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(11) Failure to report as directed to workforce development in response to the notice which was mailed to the claimant will result in the claimant being deemed not to meet the availability requirements.

The claimant was directed to either participate in an interview on June 20, 2013, or provide information prior to June 20, 2013. The claimant did not. When a claimant does not report as directed by a call-in notice, he will not be qualified to receive benefits. The claimant is not eligible to receive unemployment insurance benefits from June 16 through June 22, 2013, because he did not respond to the Agency's call-in notice.

DECISION:

The representative's June 24, 2013 decision (reference 03) is affirmed. The claimant did fail to report as directed. Benefit are denied effective June 16 through June 22, 2013.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/css