

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

LEANN M GOODALE
1024 S 8TH ST
CLEAR LAKE IA 50428

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-11643-S2T
OC: 07/11/04 R: 02
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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4-7 – Reemployment Services

STATEMENT OF THE CASE:

LeAnn Goodale (claimant) appealed a representative's October 18, 2004 decision (reference 01) that concluded she did not participate in reemployment services as required. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on November 23, 2004. The claimant did participate.

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The claimant filed a claim for unemployment insurance benefits with an effective date of

July 11, 2004. The claimant was scheduled to participate in reemployment services as of September 2004, but could not attend because she was having oral surgery. She rescheduled her participation on October 12, 2004, but was sick with the flu. She was rescheduled to participate on November 17, 2004, but did not receive notice of the meeting. The claimant was not allowed to reschedule after November 17, 2004.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code Section 96.4-7 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

7. The individual participates in reemployment services as directed by the department pursuant to a profiling system, established by the department, which identifies individuals who are likely to exhaust benefits and be in need of reemployment services.

The claimant has failed to participate in reemployment services as required. She has established good cause for not having participated. She is not to receive unemployment insurance benefits.

DECISION:

The representative's October 18, 2004 decision (reference 01) is reversed. The claimant is eligible to receive unemployment insurance benefits.

bas/kjf