

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**ZHIQING GAO**  
Claimant

**APPEAL NO. 20A-UI-04003-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/22/20**  
**Claimant: Appellant (2)**

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Iowa Code § 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated May 8, 2020 reference 01, which held claimant not able and available for work. After due notice, a hearing was scheduled for and held on May 29, 2020. Claimant participated personally. Claimant's exhibit A was admitted into evidence. Interpretive services were provided by CTS Language Link.

**ISSUE:**

The issue in this matter is whether claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant has submitted documentation showing that he is able and available for work as he's submitted both a social security work authorization and an employment authorization.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4(3) provides:

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

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph (1), or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

Here claimant has submitted documentation showing that he is able and available for work. As such, he is eligible to receive benefits provided claimant meets all other eligibility requirements.

**DECISION:**

The decision of the representative dated May 8, 2020, reference 01 is reversed. Claimant is eligible to receive unemployment insurance benefits, effective March 22, 2020, provided claimant meets all other eligibility requirements.



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Blair A. Bennett  
Administrative Law Judge

June 4, 2020  
Decision Dated and Mailed

bab/mh