

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JESSICA M WALKER
Claimant

APPEAL NO: 14A-UI-08201-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/30/14

Claimant: Appellant (2)

871 IAC 24.2-1-e – Failure to Report

STATEMENT OF THE CASE:

Jessica M. Walker (claimant) appealed a representative's August 4, 2014 decision (reference 06) that concluded she was not qualified to receive unemployment insurance benefits because she had not responded to an Agency notice to respond to an issue relating to her eligibility. A hearing notice was mailed to the claimant's last-known address of record for a telephone hearing to be held on August 28, 2014 in conjunction with two related appeals, 14A-UI-08200-DT and 14A-UI-08202-DT. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant disqualified from receiving unemployment insurance benefits for a failure to report as directed?

FINDINGS OF FACT:

The claimant established an initial claim for unemployment insurance benefits effective March 30, 2014. For the benefit week ending June 21 she reported no job contacts and for the benefit weeks ending June 28 and July 5 she reported that she was not able and available for work. On July 28, 2014 the Agency sent the claimant a notice to report and participate in a fact-finding interview to address these questions on August 1, 2014. The claimant did not receive that notice to participate in the fact-finding interview and therefore did not participate.

REASONING AND CONCLUSIONS OF LAW:

A claimant can be found ineligible for unemployment insurance benefits for a failure to report as required.

Rule 871 IAC 24.2(1)e provides in pertinent part:

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.

Rule 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 did not receive the notice to report, and so should not be disqualified for failing to report. The underlying issues are separately addressed in the concurrently issued decision in Appeal No. 14A-UI-08200-DT.

DECISION:

The representative's August 4, 2014 (reference 06) decision is reversed. The claimant is not disqualified for failing to report as directed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/can