

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRANDI L THILLEN**  
Claimant

**APPEAL NO. 10A-UI-16321-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 11/15/09  
Claimant: Appellant (2)**

871 IAC 24.2(1)e – Report as Directed

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from a representative's decision dated November 15, 2010, reference 03, which denied benefits effective November 7, 2010 upon a finding that the claimant failed to report as directed. After due notice a telephone hearing was held on January 5, 2011. Claimant participated personally.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having considered all of the evidence in the record, the administrative law judge finds: The claimant was issued a notice to report to her local workforce development center. When the claimant did not report, benefits were denied as of November 7, 2010.

Ms. Thillen did not receive the notice to report until November 13, 2010 due to issues with the U.S. Postal Service. Ms. Thillen complied with the notice to report as soon as she received it.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes that the claimant failed to report as directed. It does not.

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 evidence in the record establishes that Ms. Thillen responded to the notice to report as soon as she received it via the U.S. Postal Service. Due to factors beyond the claimant's control, the notice to report did not arrive until November 13, 2010. The claimant, therefore, could not have reported earlier as she was unaware that she had been directed to do so. As soon as notified the claimant did report as directed. Good cause for failing to report as of November 7, 2010 has been shown. Claimant is eligible to receive unemployment insurance benefits, providing that she meets all other eligibility requirements of the law.

**DECISION:**

The representative's decision dated November 15, 2010, reference 03, is reversed. Claimant did not fail to report as directed. Unemployment insurance benefits are allowed, providing the claimant meets all other eligibility requirements of Iowa law.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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