

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TERI L STONE

Claimant

APPEAL NO. 07A-UI-06341-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MORTON BUILDINGS INC

Employer

**OC: 04/29/07 R: 01
Claimant: Appellant (2-R)**

Section 96.4(3) – Able and Available
Section 871 IAC 24.2(1)e – Reporting Requirements

STATEMENT OF THE CASE:

Teri Stone filed an appeal from a representative's decision dated June 13, 2007, reference 01, which denied benefits on a finding that he failed to report to his local office as directed. After due notice was issued, a hearing was held by telephone on July 12, 2007. Mr. Stone participated personally. The employer participated by Dennis Dallman.

ISSUE:

At issue in this matter is whether Mr. Stone failed to report to his local office as directed.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Stone did not receive the notice to report to his local office. Therefore, he was not available when Workforce Development attempted to reach him by telephone.

It does not appear that Workforce Development has scheduled a fact-finding interview concerning Mr. Stone's separation from employment with Morton Buildings, Inc.

REASONING AND CONCLUSIONS OF LAW:

An individual claiming job insurance benefits is required to report to his local office or be available for a phone interview as directed by Workforce Development. See 871 IAC 24.2(1)e. Because Mr. Stone did not receive the notice to report, he could not have known that he needed to be available for a call from Workforce Development. Therefore, the decision denying benefits effective June 10, 2007 shall be reversed.

Workforce Development has not adjudicated Mr. Stone's separation from Morton Buildings, Inc. This matter shall be remanded to Claims for that purpose, provided the claim has been properly protested by the employer

DECISION:

The representative's decision dated June 13, 2007, reference 01, is hereby reversed. Mr. Stone had good cause for not reporting to his local office as he did not receive the notice. Benefits are allowed effective June 10, 2007, provided he satisfies all other conditions of eligibility. This matter is remanded to Claims to adjudicate the separation issue, if appropriate.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css