

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**KELSIE N INMAN**  
Claimant

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**APPEAL NO. 19A-UI-02020-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 12/23/18**  
**Claimant: Appellant (1)**

Iowa Code § 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated March 5, 2019 reference 09, which held claimant not able and available for work. After due notice, a hearing was scheduled for and held on March 22, 2019. Claimant participated personally.

**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 filed a weekly claim for the week ending February 9, 2019. Said weekly claim stated that claimant was not able and available for work. Claimant stated that during the week in question claimant was not able and available for work as she was attending to her sick grandmother who was in the ICU at the time.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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".

Claimant was not able and available for work for the week ending February 9, 2019 as she was focusing on her grandmother's help rather than looking for work. Benefits are withheld for this week. Benefits shall be allowed effective February 10, 2019, provided claimant is otherwise eligible for benefits.

**DECISION:**

The decision of the representative dated March 5, 2019, reference 09 is affirmed. Claimant is not eligible to receive unemployment insurance benefits for the week ending February 9, 2019. Claimant is eligible for benefits effective February 10, 2019, provided claimant meets all other eligibility requirements.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/scn