

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KRISTIN K SNYDER
Claimant

APPEAL NO: 14A-UI-09388-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/18/14
Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able to and Available for Work
871 IAC 24.2(1)e – Fail to Report as Directed

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's September 8, 2014 (reference 05) that held her ineligible to receive benefits as of August 31, 2014 because she did not report or provide information that a Department representative directed her to provide. The claimant participated at the October 1, 2014 hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant is eligible to receive benefits as of August 31, 2014.

ISSUE:

Did the claimant fail to provide information as a Department representative requested from her?

FINDINGS OF FACT:

The claimant filed a claim for the week ending August 16, 2014. When she filed her claim she inadvertently reported she had refused work that week. This was a mistake; the claimant had not refused any work.

On August 22 a representative mailed the claimant a letter to an Ames's address. This letter asked the claimant to complete the questions on the letter and return her completed response. The claimant did not receive the August 22 letter because did not live in Ames in August and her mail was not forwarded.

Although the claimant had gone to her local Workforce office and talked to local representatives in August, no one asked her what happened the week ending August 16. The claimant did not know there were any problems with her claim for this week until she received the September 8, 2014 determination that was sent to her current address of record. After receiving the September 8 determination, she went to her local Workforce office and tried to tell them she had not refused any work. The claimant was told she had to appeal.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits she must be able to and available for work. Iowa Code § 96.4(3). To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1)e. A claimant who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

Before a claimant can be ineligible to receive benefits, she must receive the letter that directs her to provide certain information. Since the claimant did not receive the August 22 letter and was not told when she went to her local Workforce office about any problems with her August 16 weekly claim, the claimant was **NOT** directed to provide this information. As a result, the claimant is eligible to receive benefits as of August 31, 2014.

DECISION:

The representative's September 8, 2014 (reference 05) determination is reversed. The claimant did not receive the August 22 letter directing her to provide information about her claim for the week ending August 16, 2014. Since the claimant did not know a representative was trying to get information from her, she remains eligible to receive benefits as of August 31, 2014.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/can