

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**YAWO N SOKPE**

Claimant

**APPEAL NO. 14A-UI-00340-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**

Employer

**OC: 12/15/13**

**Claimant: Appellant (1)**

Section 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

The claimant, Yawo Sokpe, filed an appeal from a decision dated January 10, 2014, reference 03. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on February 3, 2014. The claimant participated on his own behalf. The employer, Remedy Intelligent Staffing (Remedy), participated by Staffing Consultant Tim Denniger.

**ISSUE:**

The issue is whether the claimant was eligible for benefits for one-week period ending December 21, 2013.

**FINDINGS OF FACT:**

Yawo Sokpe was employed by Remedy beginning in September 2013. He was assigned to Williamsburg Manufacturing. The claimant filed a claim for unemployment benefits with an effective date of December 15, 2013. From Monday, December 16 through Saturday, December 21, 2013, he worked 48 hours.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 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".

871 IAC 24.23(23) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(23) The claimant's availability for other work is unduly limited because such claimant is working to such a degree that removes the claimant from the labor market.

The claimant cannot be considered to be able and available in the labor market as he worked 48 hours during six days of the week ending December 21, 2013. Under the provisions of the above Administrative Code section, he is ineligible for unemployment benefits.

**DECISION:**

The unemployment insurance decision dated January 10, 2014, reference 03, is affirmed. Yawo Sokpe is not eligible for benefits for the one-week period ending December 21, 2013.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css