

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEPHANIE J KING
Claimant

APPEAL NO: 09A-UI-06621-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/15/09
Claimant: Appellant (2)**

871 IAC 24.2(1)(e) – Failure to Report as Directed

STATEMENT OF THE CASE:

Stephanie J. King (claimant) appealed a representative's April 20, 2009 decision (reference 02) that concluded she was denied benefits as of April 12, 2009, because she did not report to her local Workforce office as directed. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on May 21, 2009. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Should the claimant be denied benefits as of April 12, because she did not report to her local Workforce office to register for work when she had already obtained employment?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of February 15, 2009. The claimant filed claims for the weeks ending February 21, 28 and March 7, 2009. The claimant found another job and began working on March 10, 2009.

On March 24, 2009, the claimant received a notice that directed her to report to her to local Workforce office to register to work or complete an on-line register to work form. The claimant understood she had to do this by April 1, 2009. Since the claimant was working, she sent an email to the Department indicating she had received a notice she needed an active work registration on file, but had stopped filing for benefits three weeks ago because she was again employed. The claimant's April 1 email note was forwarded to a representative who could help the claimant. The next day the claimant received an email from a Workforce representative indicating the notice that she needed to report to her local Workforce office would be pulled. After the claimant received this message, she then received the April 20, 2009 decision stating she was denied benefits as of April 12, 2009, because she failed to report to her local Workforce office as directed.

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's failure to report as directed without justifiable cause shall make a claimant ineligible to receive benefits until she reports as a representative had directed her to do. Justifiable cause is defined as an important and significant reason that a reasonable person would consider adequate.

Since the claimant had not filed a weekly claim since March 7 because she had become reemployed, she established a justifiable reason for not reporting to her local Workforce office to register for work. The April 20 decision should not have been issued after the claimant contacted the Department on April 1 and received information that the notice instructing her to report to her local office would be pulled. The claimant is not denied benefits as of April 12 for failing to report to her local Workforce office.

DECISION:

The representative's April 20, 2009 decision (reference 02) is reversed. Since the claimant had not filed any weekly claims since March 7 because she became reemployed, she had a justifiable reason for not reporting to her local Workforce office. Also, the April 20, 2009 decision should not have been issued because the claimant had already been told by a representative that the notice for her to report to her local Workforce office would be pulled. The claimant is not denied benefits as of April 12 for failing to report to her local Workforce office.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css