

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROY D ELSBERRY**  
Claimant

**APPEAL NO: 14A-UI-11480-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/10/14  
Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able to and Available for Work

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's November 4, 2014 determination (reference 02) that denied him benefits as of October 26, 2014, because he did not report as directed and was considered unavailable for work. A hearing was scheduled on November 26, 2014. The claimant did not respond to the hearing notice or participate at the hearing. Based on the administrative record and the law, the administrative law judge concludes the claimant remains eligible to receive benefits as of October 26, 2014.

**ISSUE:**

Is the claimant eligible to receive benefits as of October 26, 2014?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of August 10, 2014. He appealed a November 4, 2014 determination that held him ineligible to receive benefits as of October 26, 2014, because he had not reported as directed. On November 10, a determination (reference 03) held the claimant eligible to receive benefits as of October 26, because he had an acceptable reason for not reporting as directed. On November 10, 2014, another determination (reference 04) held that as of October 12, 2014, the claimant was available for work and eligible to receive benefits.

**REASONING AND CONCLUSIONS OF LAW:**

Based on the November 10, 2014 determination (reference 03), the issue the claimant appealed (reference 02) was resolved. As a result of reference 03, reference 02 has been amended and the claimant is eligible to receive benefits as of October 26, 2014.

**DECISION:**

The representative's November 4, 2014 determination (reference 02) has been reversed by a November 10 determination (reference 03) that excused the claimant from reporting as directed and held him eligible to receive benefits as of October 26, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs