

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

TRAVIS J MCILRATH  
508 S “M” ST #2  
OSKALOOSA IA 52577

IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT

Appeal Number: 06A-UI-02620-CT  
OC: 01/01/06 R: 03  
Claimant: Appellant (4)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

---

(Administrative Law Judge)

---

(Decision Dated & Mailed)

Section 871AC24.2(1)e - Reporting Requirements  
Section 96.6(2) - Timeliness of Appeals

STATEMENT OF THE CASE:

Travis McIlrath filed an appeal from a representative's decision dated February 14, 2006, reference 03, which denied benefits effective February 11, 2006 on a finding that he failed to report to his local office as directed. After due notice was issued, a hearing was held by telephone on March 27, 2006. Mr. McIlrath participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: The representative's decision that is the subject of

this appeal was mailed to Mr. McIlrath at his address of record on February 14, 2006. He received the decision and reported to his local office on February 22, 2006. At that time, he registered for work and believed he had completed all requirements for the receipt of benefits. When he still did not receive benefits, he returned to his local office on March 2, 2006. At that time, he was told he needed to file an appeal, which he did while at the office.

On January 30, 2006, Mr. McIlrath was mailed a notice that he needed to register for work. He was directed to complete the registration on-line or by reporting to his local office on or before February 10, 2006. He did not register by the due date and, therefore, a disqualification was imposed.

#### REASONING AND CONCLUSIONS OF LAW:

The first issue in this matter is whether Mr. McIlrath's appeal should be considered timely filed. He was at his local office prior to the date on which his appeal was due. The decision indicated the he could report to his local office to remove the disqualification. Because he took care of the matter for which he was to report on February 10, he believed the disqualification would be removed. Therefore, he did not know that he still needed to file an appeal. Mr. McIlrath filed an appeal on March 2, 2006, the same day the local office notified him that he needed to file an appeal. Based on his good-faith belief that he had taken care of the disqualification on February 22, the administrative law judge concludes that Mr. McIlrath's appeal filed on March 2, 2006 should be deemed timely filed.

Mr. McIlrath was mailed a notice to register for work by February 10, 2006. He did not register until February 22, 2006. He did not have good cause for not registering for work by the February 10 date. For the above reasons, the administrative law judge concludes that he should be disqualified for the one week ending February 18, 2006.

#### DECISION:

The representative's decision dated February 14, 2006, reference 03, is hereby modified. Mr. McIlrath did not report to his local office on February 10, 2006 as directed. Benefits are denied for the one week ending February 18, 2006.

cfc/tjc