

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JASON P FLEEGE
Claimant

APPEAL NO. 06A-UI-11949-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 09/24/06 R: 04
Claimant: Appellant (2)**

871 IAC 24.6(6) – Reemployment Services

STATEMENT OF THE CASE:

Jason P. Fleege filed a timely appeal from an unemployment insurance decision dated December 8, 2006, reference 03, which denied benefits for the week ending December 2, 2006 upon a finding that he had not established justifiable cause for failing to participate in reemployment services during the week. After reviewing all matters of record and Agency benefit payment records the administrative law judge concludes that a hearing is not necessary.

ISSUE:

Has the claimant established justifiable cause for failing to participate in reemployment services during the week ending December 2, 2006?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Jason P. Fleege did not receive a notice advising him to participate in reemployment services during the week ending December 2, 2006. After receiving a notice to participate on December 14, 2006, he did so.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant has established justifiable cause for failing to participate in reemployment services during the week ending December 2, 2006. He has.

A provision of the Iowa Administrative Code, 871 IAC 24.6(6), denies unemployment insurance benefits to individuals who fail to participate in reemployment services unless they can establish justifiable cause for the failure. The claimant has done so by establishing that he did not receive notification that he was to participate during the week in question and by showing good faith through attending reemployment services at a later date. Benefits are allowed.

DECISION:

The unemployment insurance decision dated December 8, 2006, reference 03, is reversed. The claimant is entitled to receive unemployment insurance benefits for the week ending December 2, 2006.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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