

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MOHINDER SINGH**  
Claimant

**APPEAL NO. 08A-UI-00917-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**JACOBSON INDUSTRIAL SERVICES**  
Employer

**OC: 12/16/07 R: 02  
Claimant: Appellant (4)**

Section 96.4-3 –Available for Work

**STATEMENT OF THE CASE:**

Mohinder Singh (claimant) appealed a representative's January 28, 2008 decision (reference 04) that concluded he was not eligible to receive unemployment insurance benefits as of December 16, 2007, because he restricted his availability when he did not have childcare arrangements. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on February 12, 2008. The claimant participated in the hearing. Elizabeth Jorme, an account manager, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the claimant available to work as of December 16, 2007?

**FINDINGS OF FACT:**

The claimant was working at a job assignment but was released from that assignment after he called in three days and said he was unable to work because he had injured his back. The claimant's assignment ended on December 12, 2007.

The claimant did not have adequate childcare arrangements from December 16 through the first week of January 2008. As of January 6, 2008, the claimant made adequate childcare arrangements for his seven-month old son.

**REASONING AND CONCLUSIONS OF LAW:**

Each week a claimant files a claim for benefits, he must be able to and available for work. Iowa Code § 96.4-3. The law presumes a claimant is not eligible to receive benefits when he has not made adequate childcare arrangements. 871 IAC 24.23(8).

The evidence indicates the claimant was not available to work the week of December 16, 2007, through January 5, 2008, because he had not made adequate childcare arrangements. As of

January 6, 2008, the claimant had made childcare arrangements. As of January 6, 2008, the claimant is available to work and is eligible to receive unemployment insurance benefits.

**DECISION:**

The representative's January 28, 2008 decision (reference 04) is modified in the claimant's favor. The claimant did not have adequate childcare arrangements until January 6, 2008. From December 16, 2007, through January 5, 2008, the claimant is not eligible to receive benefits because he restricted his availability to work. As of January 6, 2008, the claimant is available for work and is eligible to receive benefits.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css