

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RON J LEFEBER**  
Claimant

**APPEAL NO. 10A-UI-10092-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/20/09**  
**Claimant: Appellant (2)**

Section 96.4-3- Able to and Available for Work

**STATEMENT OF THE CASE:**

The claimant appealed a representative's July 12, 2010 decision (reference 03) that held him ineligible to receive benefits as of July 9, 2010, because a representative could not contact reach him at the phone number he previously provided. A telephone hearing was held on August 28, 2010. The claimant did not respond to the hearing notice or participate 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:**

Is the claimant available for work?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of December 20, 2009. He provided his mailing address and a phone number at which to contact him. On July 9, a local representative called the phone number the claimant provided. The person who answered the phone told the representative that the claimant did not live at that address and could not be contacted at that phone number. As a result of this information, a representative's July 12, 2010 decision was issued that held the clamant ineligible to receive benefits as of July 9, 2010.

After the claimant received the decision that was mailed to the address he had previously provided, he went to his local Workforce office on July 19 and appealed the July 12 decision. On his appeal letter, the claimant reported the same address as he had previously reported. The claimant's home phone number did not change and he gave a work number where he was working part-time. On July 9, the claimant was not at home, but working at his part-time job.

**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. Although a representative was told by someone that the claimant no longer resided at the address he previously reported and could not be contacted at the phone number the representative had called on July 9, the July 12 decision was mailed to the

claimant's mailing address of record. As a result of this decision, the claimant went to his local Workforce office and filed an appeal on July 19, 2010. Also, when the claimant appealed, he verified that the Department had his current mailing address and phone number. The claimant also provided an additional phone number. Based on the administrative record, the claimant established that he is available for work and has provided the Department with his mailing address and phone numbers at which to contact him. Therefore, the claimant remains eligible to receive benefits as of July 9, 2010.

**DECISION:**

The representative's July 12, 2010 decision (reference 03) is reversed. The claimant has provided his mailing address and phone number so the Department can contact him if necessary. As of July 9, 2010, the claimant remains eligible to receive benefits. This means the claimant is eligible to receive partial benefits for the weeks ending July 10 through August 14, 2010, provided he meets all other eligibility requirements.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw