

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MARY E LONG

Claimant

APPEAL 21A-UI-07289-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

NEW LONDON COMMUNITY SCHOOL DIST

Employer

OC: 03/15/20

Claimant: Respondent (2)

Iowa Code § 96.4(3) – Eligibility – A&A – Able to, available for, work search

STATEMENT OF THE CASE:

On March 10, 2021, New London Community School Dist (employer/appellant) filed a timely appeal from the March 2, 2021 (reference 01) unemployment insurance decision that allowed benefits beginning March 15, 2020 based on a finding claimant was unemployed due to short-term layoff.

A telephone hearing was held on May 19, 2021. The parties were properly notified of the hearing. Mary Long (claimant/respondent) did not register a number for the hearing or participate. Employer participated by School Business Official Jessica Boyer.

Official notice was taken of the administrative record.

ISSUE(S):

- I. Is the claimant able to and available for work?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

Claimant filed a claim for benefits with an effective date of March 15, 2020. Claimant did not file a weekly claim for benefits after that date.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the March 2, 2021 (reference 01) unemployment insurance decision that allowed benefits beginning March 15, 2020 based on a finding claimant was unemployed due to short-term layoff is REVERSED. Claimant is ineligible for benefits from March 15, 2020.

Iowa Code section 96.4(3) provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph (1), or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

In order to be eligible for benefits in any week, a claimant must file a weekly claim for benefits in that week and establish they were able to work and available for work. Claimant did not file a weekly claim for benefits after the effective date of her claim and has not established that she was able and available for work after that date. She is therefore ineligible for benefits.

DECISION:

The March 2, 2021 (reference 01) unemployment insurance decision that allowed benefits beginning March 15, 2020 based on a finding claimant was unemployed due to short-term layoff is REVERSED. Claimant is ineligible for benefits from March 15, 2020.



Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

May 26, 2021
Decision Dated and Mailed

abd/ol

Note to Claimant:

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for regular unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.