

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

PATRICIA E AXMAN
24593 – 215TH ST
CARROLL IA 51401

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 06A-UI-04519-DWT
OC: 02/12/06 R: 01
Claimant: Appellant (1)

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, 4th 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 96.4-3 – Ability to and Availability for Work
871 IAC 24.6(6) – Reemployment Services

STATEMENT OF THE CASE:

Patricia A. Axman (claimant) appealed representative's April 20, 2006 decision (reference 02) that concluded she was not eligible to receive benefits for the week ending April 22, 2006, because she did not go to a scheduled reemployment services meeting. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on May 11, 2006. The claimant participated 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:

Did the claimant establish a justifiable reason for failing to attend a scheduled reemployment services meeting on April 18, 2006?

FINDINGS OF FACT:

The claimant established claim for unemployment insurance benefits during the week of February 12, 2006. The claimant received information she was scheduled to attend an April 18 reemployment services meeting at her local Workforce office. After the claimant received this notice, she had communication with her local office about the possibility the meeting would be scheduled at a different time on April 18. After this conversation, the claimant did not receive any other information about the scheduled appointment on April 18, 2006.

The claimant forgot about the appointment on Tuesday, April 18, 2006. When the claimant remembered the April 18 meeting, she called her local Workforce office later that week and asked about another reemployment services meeting. She learned they were held about once a month. Another reemployment services meeting has not been scheduled for the claimant.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, she must be able to and available for work. Iowa Code § 96.4-3. To maintain continued eligibility, a claimant shall participate in reemployment services when referred by the Department unless the claimant establishes justifiable cause for failing to participate. Justifiable cause is defined as an important and significant reason that a reasonable person would consider adequate. 871 IAC 24.6(6).

Forgetting about the scheduled reemployment services appointment does not establish a justifiable cause for failing to participate on April 18, 2006. Therefore, the claimant is not eligible to receive benefits for the week ending April 22, 2006.

DECISION:

The representative's April 20, 2006 decision (reference 02) is affirmed. The claimant is not eligible to receive benefits for the week ending April 18, 2006 because she did not establish a justifiable reason for failing to go to a scheduled reemployment services appointment on April 18, 2006.

dlw/kkf