

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**BLAKE C RAYMOND**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL 22A-UI-07930-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/13/22  
Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Ability to and Availability for Work  
Iowa Admin. Code r. 871-24.22(2) – Able & Available – Benefits Eligibility Conditions  
Iowa Admin. Code r. 871-24.2(1)(e) – Able & Available – Report as Directed by Department  
Iowa Admin. Code r. 871-24.3(2) – Able & Available – Identity Verification

**STATEMENT OF THE CASE:**

Claimant Blake C. Raymond filed an appeal from the March 21, 2022 (reference 02) unemployment insurance decision that allowed benefits effective March 13, 2022, based upon a determination that claimant initially failed to provide verification of identity but subsequently did so. Claimant was properly notified of the hearing. A telephone hearing was held at 9:00 a.m. on Tuesday, May 10, 2022. Claimant participated. No exhibits were admitted. Official notice was taken of the administrative record.

**ISSUES:**

Whether claimant was able to and available for work.  
Whether claimant failed to report as directed by a department representative.  
Whether claimant timely provided verification of identity.

**FINDINGS OF FACT:**

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

Claimant initially opened a claim for unemployment insurance benefits effective February 13, 2022. Claimant was unable to verify his identity through the online verification process. Therefore, on his claim confirmation page, a notice appeared stating claimant was required to provide qualifying proof of his identity to the agency in order to prevent his benefits from being delayed and his claim from being canceled. The claimant had until February 21, 2022, to provide the documentation.

When claimant failed to verify his identity while opening his claim, a message would have appeared with his claim confirmation number notifying him that his identity could not be verified and he needed to take additional action. Specifically, claimant would have seen something nearly identical to the following information:

**Unemployment Insurance Claim Confirmation**

Your claim confirmation number is [REDACTED]

You have successfully filed your unemployment insurance claim. The above confirmation number is proof that you have filed your claim. Please keep a record of your confirmation number. If you provided a valid e-mail address, you will receive an e-mail confirmation when the processing of your online claim has been completed. If additional information is needed, you will be contacted by phone or mail. If this claim is your initial application for unemployment benefits, you will receive instructions and other important documents in the mail. It is your responsibility to read all documents you receive.

We were not able to verify your identity. You may not receive benefits and your claim may be cancelled if you do not verify your identity. If we do not receive the required documents by Thursday, February 28, 2019, your benefits may be delayed and your claim may be cancelled. You must provide the appropriate documents. [Click here](#) to see document options.

Send your documents to us one of the following ways:

1. Mail the appropriate documents with a letter requesting to be verified, to the following address:  
Iowa Workforce Development  
Attn: Benefits Bureau  
PO Box 10332  
Des Moines, Iowa 50319-0209
2. Bring your documentation to an American Job Center. To view the American Job Center locations, [click here](#).

You will be able to file a weekly continued claim for benefits with an unverified identity.

The two differences between the graphic above and the message claimant would have received are: (1) claimant would have had until February 21, 2022, to provide the required documents; and (2) claimant would have been able to submit identity verification documentation via the Iowa Workforce Development website at <https://www.iowaworkforcedevelopment.gov/id-verification-information>.

On February 15, 2022, the agency mailed claimant a letter also stating that if he was unable to provide proof of his identity by February 21, 2022, “benefits may be delayed and ... claim may be canceled.” Claimant denies receiving the letter. He testified that he contacted the agency via telephone on April 7, 2022, and learned that his claim was not paying benefits because his identity had not been verified. At that point, he promptly verified his identity by submitting copies of his driver’s license and his social security card via the Iowa Workforce Development website.

Agency records show that claimant’s documents were received on March 15, 2022. Claimant’s unemployment insurance claim was unlocked effective March 13, 2022. On March 21, 2022, the agency issued a decision finding claimant eligible for benefits effective March 13, 2022, as he provided the requested identity verification documents.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant failed to provide timely verification of his identity.

Each week a claimant files a claim for benefits he must be able to and available for work. Iowa Code § 96.4(3). To maintain continued eligibility, a claimant shall report as directed by an authorized representative. 871 IAC 24.2(1)e. A claimant who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. 871 IAC 24.23(11).

Iowa Admin. Code r. 871-24.3 provides:

A claim will not become valid until the identity of the claimant has been verified by the department.

(1) Upon the filing of a claim, notification shall be provided to the claimant if the claimant's identity was not verified.

(2) If the agency is unable to verify the claimant's identity in the claim application, the claimant must provide approved documents. Approved documents must include at least one document containing a social security number. The department shall determine the approved documents required to verify identity. The list of approved documents can be found at the nearest local workforce center or online.

(3) The claimant's identity will not be considered verified until approved documents have been provided. The claim shall remain locked from issuance of benefits until the claimant has provided the approved documents to verify identity.

(4) After filing a claim application, the claimant shall not be eligible for benefits for any week until approved documents are provided to verify identity.

(5) Approved documents must be provided or postmarked by Saturday at 11:59 p.m. of the week in which the approved documentation is due, and the claim shall be unlocked for all weeks following the most recent effective date of the claim application.

(6) If required documents are provided in any subsequent weeks following the due date, the claimant shall be eligible, provided there are no other outstanding issues with the claim, as of the Sunday of the week the claimant's identity was verified.

Iowa Admin. Code r. 871-24.23(11) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(11) Failure to report as directed to workforce development in response to the notice which was mailed to the claimant will result in the claimant being deemed not to meet the availability requirements.

It is the duty of the administrative law judge as the trier of fact in this case, to determine the credibility of witnesses, weigh the evidence and decide the facts in issue. *Arndt v. City of LeClaire*, 728 N.W.2d 389, 394-395 (Iowa 2007). The administrative law judge may believe all, part or none of any witness's testimony. *State v. Holtz*, 548 N.W.2d 162, 163 (Iowa App. 1996). In assessing the credibility of witnesses, the administrative law judge should consider the evidence using his or her own observations, common sense and experience. *Id.* In determining the facts, and deciding what testimony to believe, the fact finder may consider the following factors: whether the testimony is reasonable and consistent with other believable evidence; whether a witness has made inconsistent statements; the witness's appearance, conduct, age, intelligence, memory and knowledge of the facts; and the witness's interest in the trial, their motive, candor, bias and prejudice. *Id.*

After assessing the credibility of the witnesses who testified during the hearing, considering the applicable factors listed above, and using her own common sense and experience, the administrative law judge finds the claimant did not present credible testimony. Claimant

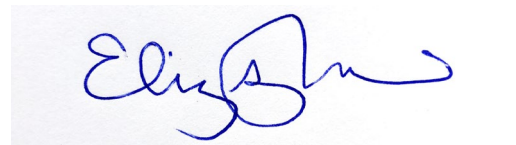
disregarded the clear instructions on the claim confirmation page to provide identity verification documents to the agency. Based on his casual dismissal of these instructions, the administrative law judge does not believe that claimant did not receive the letter in the mail notifying him again that he needed to provide his identity verification documents. Further, claimant himself did not have a clear timeline of events, as he believed he provided the documentation three weeks after he actually submitted the documents online.

In this case, claimant received notification to provide verification of his identity by February 21, 2022, in order to prevent benefits from being delayed and/or the claim being canceled. Claimant did not provide the requested documentation until March 15, 2022. The administrative law judge is sympathetic to claimant's position, but claimant's failure to provide the required documentation in a timely manner was not due to Agency error. The administrative law judge finds claimant was not available for work until the effective date of March 13, 2022, when claimant provided the required identity verification documents to the agency.

Therefore, benefits are withheld from February 13, 2022 until March 13, 2022. Benefits are allowed effective March 13, 2022, provided claimant is otherwise eligible.

**DECISION:**

The March 21, 2022 (reference 02) unemployment insurance decision is affirmed. Claimant was not available for work for the period of February 13, 2022, through March 13, 2022, because claimant failed to provide verification of identity as required. Benefits are allowed effective March 13, 2022, provided claimant is otherwise eligible.



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Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

May 12, 2022  
Decision Dated and Mailed

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