

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

MARK D PEEL
1209 S 8TH ST
CLINTON IA 52732

BUNGE NORTH AMERICA INC
c/o TALX EMPLOYER SERVICES
PO BOX 1160
COLUMBUS OH 43216

Appeal Number: 06A-UI-05458-SWT
OC: 04/23/06 R: 04
Claimant: Respondent (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 - Able to and Available for Work

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated May 15, 2006, reference 02, that concluded the claimant was able to and available for work effective April 23, 2006. A telephone hearing was held on June 12, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing. Nancy Anglese participated in the hearing on behalf of the employer.

FINDINGS OF FACT:

The claimant filed a claim for unemployment insurance benefits with an effective date of April 23, 2006. The claimant had been off work on medical leave with a doctor's excuse starting February 3, 2006. As of April 23, the claimant was released by his doctor with no restrictions and was able to and available for work.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant is able to work, available for work, and earnestly and actively seeking work as required by the unemployment insurance law in Iowa Code section 96.4-3. The evidence establishes that as of the effective date of the claimant's unemployment insurance claim, he was able to and available for work.

DECISION:

The unemployment insurance decision dated May 15, 2006, reference 02, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

saw/kkf