

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TERRI L BROWN**  
Claimant

**APPEAL NO. 12A-UI-10137-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/22/12  
Claimant: Appellant (2)**

Section 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

The claimant filed an appeal from a decision of a representative dated August 13, 2012, reference 03, which held that the claimant was ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for September 10, 2012. The claimant failed to respond to the hearing notice and did not participate. The record is based on the administrative file and the claimant's appeal letter.

**ISSUE:**

Whether the claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having considered all of the evidence in the record, makes the following findings of fact:

The claimant established an original claim for unemployment insurance benefits with an original claim date of January 22, 2012. The claimant was disqualified from benefits effective August 5, 2012, because the claimant had no means of transportation to the area where work exists. The claimant does not own a car but makes arrangements for transportation when she gets a job.

**REASONING AND CONCLUSIONS OF LAW:**

If a claimant loses transportation from his or her residence to the area of the individual's usual employment, the individual will be deemed to be unavailable for work. 871 IAC 24.23(4) In this case, the claimant did not lose her means of transportation. She explained that when she gets a job, she makes arrangements for transportation. An individual cannot be disqualified because he or she does not own a car. The claimant has made arrangements for the last three jobs she held. Under these circumstances, the claimant is considered able and available for work.

**DECISION:**

The decision of the representative dated August 13, 2012, reference 03, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible effective August 5, 2012.

---

Vicki L. Seeck  
Administrative Law Judge

---

Decision Dated and Mailed

vls/css