

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LAURA M HALL
Claimant

APPEAL NO: 10A-UI-14693-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 09/26/10
Claimant: Appellant (4)**

Section 96.4-3 – Ability to and Availability for Work

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's October 21, 2010 determination (reference 03) that denied the claimant benefits as of September 26, 2010, because she was ill and unable to work. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge finds the claimant is not eligible receive benefits for the weeks ending October 2 through 20, 2010.

ISSUE:

As of September 26, 2010, is the claimant able to and available for work?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of September 26, 2010. The claimant's doctor restricted the claimant from working September 28 through October 21, 2010. The claimant presented her doctor's statement to a Department representative. As a result of the doctor's statement, the claimant was held eligible to receive benefits as of October 21, 2010. See the October 27, 2010 determination or reference 04.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, she must be able to and available for ok. Iowa Code § 96.4-3. Since the claimant's doctor restricted her from working September 28 through October 21, 2010, the claimant is not eligible to receive benefits for the weeks ending October 2 through 23, 2010. As of October 24, 2010, the claimant is eligible to receive benefits.

DECISION:

The representative's October 21, 2010 determination (reference 03) is modified in the claimant's favor. The claimant is not eligible to receive benefits for the weeks ending October 2 through 23, 2010. As of October 24, 2010, is eligible to receive benefits because her physician released her to work as of October 21.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs