

would call him between 10:00 and 11:00 a.m. on September 15, 2005. He was not present when the call came in, but a message was left with his wife asking that he contact the representative by 3:00 p.m. that day. Mr. Habib did not return the call as requested. He has now been allowed benefits effective September 18, 2005.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Habib has established good cause for not responding to his local office as directed. He acknowledged that he received the notice to be available on September 15. Although he may have had a good reason for not being available at the designated time, he still could have called Workforce Development when he returned home. The administrative law judge does not believe the language barrier would have prevented Mr. Habib from making some form of contact or having someone contact Workforce Development on his behalf. Since he has failed to establish good cause for not responding to the notice, benefits are denied for the week of September 11 through September 17, 2005. A later decision by Workforce Development has reinstated benefits as of September 18, 2005.

DECISION:

The representative's decision dated September 16, 2005, reference 03, is hereby affirmed. Mr. Habib is denied benefits for the one week ending September 17, 2005 because he failed to respond to his local office as directed.

cfc/kjw