

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**RAYMOND K HANSON**  
Claimant

**APPEAL NO. 19A-UI-02058-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 01/13/19**  
**Claimant: Appellant (2)**

Iowa Code Section 96.4(3) – Able & Available

**STATEMENT OF THE CASE:**

Raymond Hanson filed a timely appeal from the March 5, 2019, reference 01, decision that denied benefits for the week of February 10-16, 2019, based on the deputy's conclusion that Mr. Hanson was not able to work and/or available for work that week. After due notice was issued, a hearing was held on March 25, 2019. The hearing in this matter was consolidated with the hearing in Appeal Number 19A-UI-02059-JTT. Mr. Hanson participated. Exhibit A was received into evidence. The administrative law judge took official notice of the following Agency administrative records: continued claims (KCCO), database readout (DBRO), fact-finding notice date and interview date (KFFV), and the deputy's notes from the fact-finding interview set for March 4, 2019.

**ISSUES:**

Whether Mr. Hanson was able to work and available for work during the week of February 10-16, 2019.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Raymond Hanson established an original claim for benefits that was effective January 13, 2019 and received benefits that included \$467.00 for the week of February 10-16, 2019. When Mr. Hanson made his online weekly claim report for that week, he mistakenly reported that he was not able to work and/or not available for work. Mr. Hanson was in fact physically and mentally able to work, was available for work, and had applied for three jobs that week.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4(3) provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph (1), or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The weight of the evidence establishes that Mr. Hanson merely made a mistake on the computer when he reported he was not able to work and/or available for work during the claim week of February 10-16, 2019. Mr. Hanson was able to work, available for work, and actively seeking new employment during that week. Mr. Hanson is eligible for unemployment insurance benefits for the week that ended February 16, 2019, provided he meets all other eligibility requirements.

**DECISION:**

The March 5, 2019, reference 01, decision is reversed. The claimant was able to work and available for work during the week that ended February 16, 2019. The claimant is eligible for unemployment insurance benefits for the week that ended February 16, 2019, provided he meets all other eligibility requirements.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/rvs