

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

---

**WILLIAM CHATMAN**  
**Claimant**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL NO. 20A-UI-02069-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 12/15/19**  
**Claimant: Appellant (2)**

---

Iowa Code § 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated February 17, 2020 reference 04, which held claimant not able and available for work for the week of February 9 - 15, 2020. After due notice, a hearing was scheduled for and held on March 24, 2020. Claimant participated personally.

**ISSUE:**

The issue in this matter is whether claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant has been filing for unemployment since his original claim. For the week of February 9, 2020 - February 15, 2020 claimant did his job searches both in-person and online. Claimant was able and available for work throughout the large portion of the week. Claimant was not able and available for work on February 13-14, 2020 as he went to Kansas City for a relative's funeral.

**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".

Iowa Admin. Code r. 871-24.22(1)a provides:

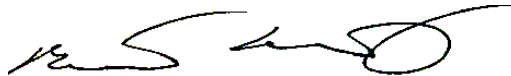
Benefits eligibility conditions. For an individual to be eligible to receive benefits the department must find that the individual is able to work, available for work, and earnestly and actively seeking work. The individual bears the burden of establishing that the individual is able to work, available for work, and earnestly and actively seeking work.

(1) Able to work. An individual must be physically and mentally able to work in some gainful employment, not necessarily in the individual's customary occupation, but which is engaged in by others as a means of livelihood.

The claimant has established the ability and availability to work for the great percentage of the week of February 9-15, 2020. Benefits shall be allowed effective the week of February 9-15, 2020.

**DECISION:**

The decision of the representative dated February 17, 2020, reference 04 is reversed. Claimant is eligible to receive unemployment insurance benefits, effective February 9-15, 2020, provided claimant meets all other eligibility requirements.



---

Blair A. Bennett  
Administrative Law Judge

March 25, 2020  
Decision Dated and Mailed

bab/scn