

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CRAIG R CHANDLER
Claimant

APPEAL NO. 12A-UI-03270-VST

ALLSTEEL INC
Employer

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 01/15/12
Claimant: Appellant (4)

Section 96.4-3 – Able and Available

STATEMENT OF THE CASE:

The claimant filed an appeal from a decision of a representative dated March 19, 2012, reference 02, which held that the claimant was not eligible to receive unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on April 17, 2012. Claimant participated. The employer failed to respond to the hearing notice and did not participate. The record consists of the testimony of Craig Chandler. Official notice is taken of agency records.

ISSUE:

Whether the claimant is able and available for work.

FINDINGS OF FACT:

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

The claimant established an original claim for benefits with an original claim date of January 15, 2012. The claimant's weekly benefit amount is \$306.00. The claimant reported income in excess of his weekly benefit amount for the weeks ending January 21, 2012 through February 25, 2012. For the week ending March 3, 2012, the claimant reported no income and was paid \$306.00 in unemployment insurance benefits. The claimant was on a short-term layoff that week as there was a shutdown in his department.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law provides that a claimant is deemed partially unemployed if he is not employed at his usual hours and wages and earns less than his weekly benefit amount plus \$15.00 in other employment. Iowa Code section 96.19-38-b. In this case the evidence established that the claimant was unemployed due to a department shutdown during the week ending March 3, 2012. The claimant is therefore eligible for unemployment insurance benefits in the amount of \$306.00 for the week ending March 3, 2012. He is not eligible for unemployment insurance benefits during the weeks ending January 21, 2012, through February 25, 2012.

DECISION:

The decision of the representative dated March 19, 2012, reference 02, is modified in favor of the claimant. The claimant is eligible for unemployment insurance benefits for the week ending March 3, 2012.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/css