

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**STEVEN L PETER**  
Claimant

**APPEAL 20A-UI-02062-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 02/09/20  
Claimant: Appellant (2)**

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Iowa Code § 96.4(3) – Able to and Available for Work

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the March 2, 2020 (reference 01) unemployment insurance decision that found claimant was ineligible for unemployment benefits because he was not ready, willing or able to perform work. The claimant was properly notified of the hearing. A telephone hearing was held on April 13, 2020. The claimant, Steven L. Peter, participated personally.

**ISSUE:**

Was the claimant able to work and available for work from February 9, 2020 through February 15, 2020?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant reported that he was not able to and available for work the benefit week ending February 15, 2020 when completing his weekly claim for benefits. Claimant reported this in error. Claimant was able to and available for work for the benefit week ending February 15, 2020. Claimant has been actively and earnestly seeking work including during the benefit week ending February 15, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was able to and available for work from February 9, 2020 through February 15, 2020.

Iowa Code § 96.4(3) provides:

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

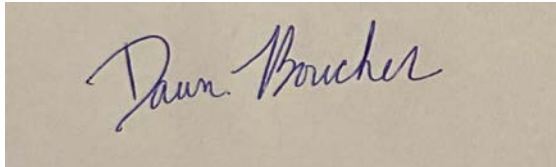
3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially

unemployed, while employed at the individual's regular job, as defined in § 96.19, subsection 38, paragraph "b", subparagraph 1, or temporarily unemployed as defined in § 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 § 96.5, subsection 3 are waived if the individual is not disqualified for benefits under § 96.5, subsection 1, paragraph "h".

The claimant has sufficiently demonstrated to the satisfaction of the administrative law judge that he was available for work and able to work the period of February 9, 2020 through February 15, 2020. Accordingly, benefits are allowed for that one-week period, provided the claimant is otherwise eligible.

**DECISION:**

The March 2, 2020 (reference 01) unemployment insurance decision is reversed. The claimant was able to and available for work from February 9, 2020 through February 15, 2020. Benefits are allowed for that one-week period, provided the claimant is otherwise eligible.

A rectangular area containing a handwritten signature in blue ink that reads "Dawn Boucher".

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Dawn Boucher  
Administrative Law Judge

April 14, 2020  
Decision Dated and Mailed

db/scn