

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**ANDREW M DUNHAM**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL NO: 22A-UI-04139-B2-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/14/21  
Claimant: Appellant (2)**

Iowa Admin. Code r. 871-24.2(1)e – Failure to Report  
Iowa Code § 96.4-3 – Able and Available  
Iowa Admin. Code r. 871-24.23(11) – Failure to Report  
Iowa Admin. Code r. 871-24.3 – Social Security Number Needed for Filing

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from a decision dated January 28, 2022, reference 01, that denied benefits prior to January 16, 2022, for failure to provide proper requested identification. After due notice was issued, a hearing was held by telephone conference call before an Administrative Law Judge on April 28, 2022. Claimant did participate.

**ISSUES:**

Whether claimant failed to report as directed?

Whether claimant is able and available for work?

Whether claimant provided proper identification documents when requested?

**FINDINGS OF FACT:**

Having heard the testimony and having examined the evidence in the record, the administrative law judge finds: Claimant filed an original claim in this matter on February 14, 2021. Shortly thereafter, IWD contacted claimant requesting that he provide identification documents in order that his claim would not be lock for lack of proof of identification. Claimant stated he went to the IWD facility at the Lindale Mall in Cedar Rapids. Claimant met an IWD representative outside the facility (Covid was occurring at a heightened rate at the time) and gave the person his driver's license and social security card. The person went inside, made copies of the documents, returned them to claimant and told claimant that things should be satisfactory. Claimant went home believing he'd satisfied the requirements and heard nothing more from IWD.

In January of 2022, claimant noticed that although he'd filed every week he wasn't working in 2021, he'd received no benefits. (Claimant said he lives a miserly lifestyle and hadn't even looked to see if benefits had been deposited through the year.) Claimant contacted IWD, and was told his claim was locked as IWD had no record of claimant's ever providing identification

proof. Claimant again provided his proof, and was allowed benefits from January 16, 2022, even though he'd filed throughout 2021.

### **REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant has established a good cause reason for having failed to produce his requested identification documents prior to January 16, 2022. Benefits allowed as of the date of claimant's original claim.

Iowa Admin. Code r. 871-24.2(1)e provides:

e. In order to maintain continuing eligibility for benefits during any continuous period of unemployment, an individual shall report as directed to do so by an authorized representative of the department. If the individual has moved to another locality, the individual may register and report in person at a workforce development center at the time previously specified for the reporting.

(1) An individual who files a weekly continued claim will have the benefit payment automatically deposited weekly on a debit card specified by the department.

(2) The department retains the ultimate authority to choose the method of reporting and payment.

Iowa Admin. Code r. 871-24.6(1-6) provides:

Reemployment services and eligibility assessment procedure.

(1) The department of workforce development will provide a program which consists of profiling claimants and providing reemployment services.

(1) Purpose.

a. Profiling is a systematic procedure used to identify claimants who, because of certain characteristics, are determined to be permanently separated and most likely to exhaust benefits. Such claimants may be referred to reemployment services.

b. The eligibility assessment program is used to accelerate the individual's return to work and systematically review the individual's efforts towards the same goal.

(3) Reemployment services and eligibility assessment may include, but are not limited to, the following:

a. An assessment of the claimant's aptitude, work history, and interest.

b. Employment counseling regarding reemployment approaches and plans.

c. Job search assistance and job placement services.

d. Labor market information.

e. Job search workshops or job clubs and referrals to employers.

f. Résumé preparation.

g. Other similar services.

(4) As part of the initial intake procedure, each claimant shall be required to provide the information necessary for profiling and evaluation of the likelihood of needing reemployment assistance.

(5) The referral of a claimant and the provision of reemployment services is subject to the availability of funding and limitations of the size of the classes.

(6) A claimant shall participate in reemployment services when referred by the department unless the claimant establishes justifiable cause for failure to participate or the claimant has previously completed such training or services. Failure by the claimant to participate without justifiable cause shall disqualify the claimant from the receipt of benefits until the claimant participates in the reemployment services or eligibility assessment. The claimant shall contact the agency prior to the scheduled appointment or service to advise the department of the justifiable cause..

a. Justifiable cause for failure to participate is an important and significant reason which a reasonable person would consider adequate justification in view of the paramount importance of reemployment to the claimant. Justifiable cause includes when the claimant is scheduled for an employment interview, is verified return to work, or both prior to the scheduled appointment or service.

b. Reserved.

This rule is intended to implement Iowa Code section 96.4(7).

Iowa Admin. Code r. 871-24.6(1-6) provides:

A claim will not become valid until the identity of the claimant has been verified by the department.

- (1) Upon the filing of a claim, notification shall be provided to the claimant if the claimant's identity was not verified.(2) If the agency is unable to verify the claimant's identity in the claim application, the claimant must provide approved documents. Approved documents must include at least one document containing a social security number. The department shall determine the approved documents required to verify identity. The list of approved documents can be found at the nearest local workforce center or online.(3) The claimant's identity will not be considered verified until approved documents have been provided. The claim shall remain locked from issuance of benefits until the claimant has provided the approved documents to verify identity.(4) After filing a claim application, the claimant shall not be eligible for benefits for any week until approved documents are provided to verify identity.(5) Approved documents must be provided or postmarked by Saturday at 11:59 p.m. of the week in which the approved documentation is due, and the claim shall be unlocked for all weeks following the most recent effective date of the claim application.(6) If required documents are provided in any subsequent weeks following the due date, the claimant shall be eligible, provided there are no other outstanding issues with the claim, as of the Sunday of the week the claimant's identity was verified.

Claimant in this matter gave credible testimony that he provided the requested identification documents to IWD soon after filing an original claim. Claimant is granted benefits in this matter from the date of February 14, 2021.

**DECISION:**

The decision of the representative dated January 28, 2022, reference 01, is reversed. Benefits shall be allowed effective February 14, 2021.



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Blair A. Bennett  
Administrative Law Judge

May 13, 2022

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Decision Dated and Mailed

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