

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VICKIE L CHOATE**  
Claimant

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**APPEAL NO. 11A-UI-00913-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 11/21/10**  
**Claimant: Appellant (2)**

871 IAC 24.6(6) – Re-Employment Services

**STATEMENT OF THE CASE:**

The claimant filed an appeal from an unemployment insurance decision dated January 6, 2011, reference 01, that denied benefits to her for the week ending January 8, 2011 upon a finding that she had failed to participate in re-employment services. The administrative law judge concludes that a formal hearing is not required because on January 31, 2011 the Agency issued a subsequent decision granting the relief requested in the appeal.

**ISSUE:**

Should benefits be denied for failing to participate in re-employment services?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: The Agency has removed the disqualification for the week ending January 8, 2011.

**REASONING AND CONCLUSIONS OF LAW:**

Although a provision of the Iowa Administrative Code, 871 IAC 24.6(6), provides for denial of unemployment insurance benefits if an individual fails to participate in re-employment services for no justifiable cause, the evidence before the administrative law judge establishes that the denial of benefits has been removed. The claimant either participated in re-employment services or has established justifiable cause for not doing so.

**DECISION:**

The unemployment insurance decision dated January 6, 2011, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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