



APPEAL TRIBUNAL DECISION

Docket number: 25 0848 **Hearing date:** December 16, 2025

CLAIMANT:

MELISSA ZAVALA
[REDACTED]
[REDACTED]

CLAIMANT APPEARANCES:

Melissa Zavala

DETS APPEARANCES:

None

CASE HISTORY

The claimant timely appealed a November 1, 2025, determination which denied benefits under AS 23.20.378 and 8 AAC 85.350-351. The issue is whether the claimant met the registration requirements to be considered available for full-time work.

FINDINGS OF FACT

On October 18, 2025, the claimant established a claim for unemployment insurance benefits effective October 12, 2025. The claimant was advised during the online application process of the requirement to register for work and post a résumé on the Division's AlaskaJobs website within seven days or benefits would be denied. The claimant was advised on the application that she was responsible to check that any previously posted resumes were up to date and online. The claimant had previously posted a résumé on the Division's website in January 2023. The claimant did not update her résumé or check that it was posted online. She believed that her previously posted résumé met the requirement to register for work.

The Division mailed a notice to the claimant's address of record, advising the claimant of the requirement to register for work and post a résumé on the Division's AlaskaJobs website within seven days. That notice advised the claimant of the importance of checking the expiration date of a résumé on the website. The claimant recalled receiving the notice.

The claimant received the Division's first denial of benefits, mailed on November 4, 2025. She attempted to contact the Division by phone but could not get through due to a high volume of calls. On November 10, 2025, the

claimant uploaded her résumé to the Division's website. The claimant believed she had met the Division's registration requirements on that date.

The Division issued a redetermination on December 3, 2025, holding the claimant met the requirements and benefits were allowed after December 6, 2025.

PROVISIONS OF LAW

AS 23.20.378 provides, in part:

- (a) An insured worker is entitled to receive waiting-week credit or benefits for a week of unemployment if for that week the insured worker is able to work and available for suitable work....

8 AAC 85.350 provides, in part:

- (b) A claimant is considered available for suitable work for a week if the claimant
 - (1) registers for work as required under 8 AAC 85.351;
 - (2) makes independent efforts to find work as directed under 8 AAC 85.352 and 8 AAC 85.355;
 - (3) meets the requirements of 8 AAC 85.353 during periods of travel;
 - (4) meets the requirements of 8 AAC 85.356 while in training;
 - (5) is willing to accept and perform suitable work which the claimant does not have good cause to refuse;
 - (6) is available, for at least five working days in the week to respond promptly to an offer of suitable work; and
 - (7) is available for a substantial amount of full-time employment.

8 AAC 85.351 provides:

- (a) a claimant who files a claim for benefits in a state that acts as agent in taking claims for benefits held by this state shall register for work in accordance with the statutes, regulations, and procedures of the state in which the claim is filed.
- (b) a claimant who files for benefits in this state shall register for work as required by AS 23.20 and this section. An active placement registration for work in this state means the claimant has registered with the labor exchange system operated by the division and has posted an online resume that is available for employers and division staff to match with available jobs. A claimant shall register for work
 - (1) in person or by mail at the employment service office of the division that is nearest the claimant's residence;
 - (3) by telephone, if permitted by the director; or

- (4) by electronic means at the department's website.
- (c) The director shall find that a claimant is not available for work for any week ending before completion of a placement registration for work. To be considered available for work from the date of the initial claim, a claimant must complete a placement registration within seven days after filing the initial claim. If the placement registration is not completed within seven days, the claimant is considered available for work the week the placement registration is completed.
- (g) The director may defer registration for work for a claimant who is
 - (1) temporarily unemployed with a definite date to return to full-time work within 45 days after the date the claimant files the initial claim;
 - (2) unemployed due to a labor dispute;
 - (3) traveling immediately following the filing of the initial claim, for the purpose of relocating outside of this state; upon arrival in the new area of residence, the claimant shall register for work as required in (a) of this section;
 - (5) normally hired through a trade union, if the union furnishes information when requested by the director to verify the claimant's current membership and eligibility for dispatch;
 - (8) under an approved waiver of availability under AS 23.20.378 or AS 23.20.382.
- (i) If the director does not require the claimant to have a placement registration, the director shall inform the claimant that the placement registration requirement has been deferred and advise the claimant of available employment services.

CONCLUSION

Alaska Statute 23.20.378 requires that a claimant be able to work and available for work in a week in order to be eligible for benefits for a week of unemployment. Regulation 8 AAC 85.351 provides that to be considered available for work, a claimant must register and post a résumé on the Division's labor exchange system (AlaskaJobs) website be matched with available jobs. If the résumé is not posted online within seven days, the claimant is considered available for work the week the résumé is posted online.

The Division met its obligation to notify the claimant of the requirement to post a résumé online within seven days of the date the initial claim application date with the notice on the claim application and the notice sent by mail. The claimant did not take any actions to post her résumé online until November 10, 2025.

The circumstances do not establish that the reason for the delay in posting a résumé was a circumstance outside the claimant's control. Therefore, the claimant cannot be considered available for work in accordance with

Regulation 8 AAC 85.351 during weeks that ended before she posted her résumé.

The claimant believed the proper form and procedure was followed to complete a résumé on the Division's AlaskaJobs website on November 10, 2025. The record does not reflect why the claimant's benefits remain denied after the claimant posted her résumé and the claimant was not aware of any reason that her benefits remained denied.

In Ward Com. Dec. No. 06 1433, September 27, 2006:

The Commissioner held a credible claimant complied with ALEXsys registration requirements and was allowed benefits where "The claimant could not recall if, when he created his first résumé, the program advised him that the résumé had been saved to ALEXsys. His testimony during the hearing was straightforward and confident. We believe that he did in fact prepare his résumé as instructed and for some unknown reason it was not saved properly to ALEXsys."

In Ward, the Commissioner refers to the Division's work registration website as ALEXsys, however the Division currently uses a website referred to as "AlaskaJobs" to meet the registration requirements of regulation 8 AAC 85.351.

The Appeal Tribunal holds the claimant in this case met registration requirements as soon as could reasonably be expected. The claimant was available for work after her résumé was posted online.

DECISION

The redetermination issued on December 3, 2025 is **MODIFIED**. Benefits remain **DENIED** for the weeks ending October 18, 2025 through November 8, 2025. Benefits are **ALLOWED** beginning with the week ending November 15, 2025, if the claimant is otherwise eligible.

APPEAL RIGHTS

This decision is final unless an appeal is filed in writing to the Commissioner of Labor and Workforce Development **within 30 days** after the decision is mailed to each party. The appeal period may be extended only if the appeal is delayed for circumstances beyond the party's control. A statement of rights and procedures is enclosed.

Dated and mailed on December 17, 2025.



Rhonda Bunes, Appeals Officer