

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHERYL A MYERS
Claimant

APPEAL NO. 12A-UI-05507-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

H & R BLOCK
Employer

OC: 06/13/10
Claimant: Respondent (3)

Section 96.4-3 – Active Work Search

STATEMENT OF THE CASE:

H & R Block filed a timely appeal from an unemployment insurance decision dated May 4, 2012, reference 03, that allowed unemployment insurance benefits to Cheryl A. Myers but which required that Ms. Myers commence an active work search. The sole purpose of the appeal was to request that the work search be waived. After reviewing all matters of record, the administrative law judge concludes that a formal hearing is not required.

ISSUE:

Must the claimant conduct an active work search?

FINDINGS OF FACT:

Cheryl A. Myers remains attached to her former employer, H & R Block. The employer has requested that Ms. Myers not be required to conduct an active work search.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.4-3 ordinarily requires that claimants conduct an active work search each week that they request unemployment insurance benefits. The work search requirement may be waived, however, if the individual remains attached to the former employer. In the present case the employer has requested that Ms. Myers not be required to conduct an active work search because it anticipates recalling her to employment.

DECISION:

The unemployment insurance decision dated May 4, 2012, reference 03, is modified. The claimant remains entitled to receive unemployment insurance benefits, provided she is otherwise eligible. The work search requirement is waived.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs