

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAN F HINKLE**  
Claimant

**APPEAL NO. 10A-UI-03503-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Original Claim: 12/13/09  
Claimant: Appellant (2)**

Section 96.4-3 – Active Work Search

**STATEMENT OF THE CASE:**

The claimant appealed a representative's March 2, 2010 decision (reference 03) that issued him a warning for not making a minimum of two in-person job contacts during the week ending February 27, 2010. A telephone hearing was held on March 29, 2010. The claimant participated in the hearing. Based on the administrative record and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the claimant receive a warning for making one job contact during the week ending February 27, 2010?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits during the week of December 13, 2009. He understood that since he received Department-Approved Training from February 21 through May 8, 2010, he was not required to look for work during any week he was in training.

During the week ending February 27, the claimant made one contact and reported this when he filed his claim for benefits this week. The claimant received benefits for the week ending February 27, 2010.

**REASONING AND CONCLUSIONS OF LAW:**

Before a claimant is considered eligible to receive weekly unemployment insurance benefits, he must make an active search for work. Iowa Code § 96.4-3. However, the work search requirement is waived for a claimant who has received Department Approved Training and is in training the week a claim is filed. Iowa Code § 96.4-3-6.

The evidence shows the claimant was not required to look for work the week ending February 27, 2010, because he was in school that week and received Department-Approved

Training from February 21 through May 8, 2010. Therefore, the warning issued to him in the representative's March 2, decision (reference 03) is not warranted and shall be removed.

**DECISION:**

The representative's March 2, 2010 decision (reference 03) is reversed. The claimant's work search requirements for the week ending February 27, 2010 are waived because he was in school and received Department-Approved Training for this week. Therefore, the warning issued to him was not warranted and shall be removed from his benefit history.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw