

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICHARD J SCHWEER
Claimant

APPEAL NO. 07A-UI-06319-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/27/07 R: 04
Claimant: Appellant (2)**

Section 96.4-3 – Work Search

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated June 13, 2007, reference 02, which issued a warning to the claimant based upon a finding that the claimant had not performed an active work search for the week ending June 2, 2007. After reviewing the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

ISSUE:

Should the claimant receive a warning for failing to make at least two in-person job contacts during the week in question?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Richard J. Schweer filed a claim for unemployment insurance benefits late in the week of May 27, 2007 after working four days during the week. He began his work search during the week of June 3, 2007. He reported his earnings for the week ending June 2, 2007 when he filed his weekly claim.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. The administrative law judge concludes that it should. The evidence establishes that Mr. Schweer worked nearly a full week before filing his claim for unemployment insurance benefits. He did not have a meaningful opportunity to make serious job contacts during that week. Therefore, the warning should be removed.

DECISION:

The unemployment insurance decision dated June 13, 2007, reference 02, is reversed. The warning is removed from the claimant's record.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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