

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SUSAN M FORTMANN
Claimant

APPEAL NO. 11A-UI-01118-M2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/26/10
Claimant: Appellant (1)**

Section 96.4-3 – Able and Available

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated January 25, 2011, reference 01, which warned claimant that she needed to make and report at least two job contacts each week. After due notice, a telephone conference hearing was scheduled for and held on February 15, 2011. Claimant participated personally.

ISSUE:

The issue in this matter is whether claimant is able and available for work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: For the week ending January 22, 2011 the claimant made and reported one job contact. She is required to make two job contacts per week.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

Benefits shall be allowed if otherwise eligible as the decision was merely a warning about the need to make and report at least two job contacts per week which the claimant failed to do for the week ending January 22, 2011.

DECISION:

The decision of the representative dated January 25, 2011, reference 01, is affirmed. Claimant is required to make and report at least two job contacts per week.

Stan McElderry
Administrative Law Judge

Decision Dated and Mailed

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