

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT F BROS**  
Claimant

**APPEAL NO: 12A-UI-07574-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/18/11  
Claimant: Appellant (2)**

Section 96.4-3 - Active Work Search

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated June 19, 2012, reference 03, that warned that the claimant had failed to make two in-person job contacts for the week ending June 16, 2012. A telephone hearing was held on July 25, 2012. The claimant participated in the hearing. Exhibit A was admitted into evidence at the hearing.

**ISSUE:**

Did the claimant actively search for work?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of December 18, 2011. He was informed and understood that he was required to actively seek work by personally contacting two employers each week seeking employment.

On May 21, 2012, the claimant filed an application for Training Extension benefits because he was starting to attend Des Moines Area Community College. The workforce advisor assisting the claimant with the application told him that if the application was approved, he would not have to make job contacts while he attended college. His application was approved on May 25, 2012, and he was informed that training extension benefits would be awarded once he had exhausted his benefits.

The claimant did not make any in-person job contacts during the week ending June 16, 2012. After the week ended, he filed a weekly claim for benefits using the voice response system. The claimant reported that he had not made two in-person job contacts. Based on that response, the agency issued a warning that the claimant could be disqualified in a future week if he failed to make two in-person job contacts.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law requires claimants to earnestly and actively seek work each week to receive benefits, unless they have been exempted from this requirement by the agency. Iowa Code § 96.4-3. The rules state that a claimant who fails to make an adequate work search after having been previously warned and instructed to expand the search for work effort is ineligible to receive benefits. 871 IAC 24.23(28).

The claimant had been instructed that he did not have to make job contacts once his application for training extension benefits was approved. The warning was therefore unwarranted.

The problem in this case is that the claimant should have also applied for and received department approved training when he applied for training extension benefits as they are two separate programs. It is department approved training that changes a claimant's work search status. Training extension benefits only are awarded after the claimant exhausted his other benefits. And it makes no sense for the claimant to be approved for training extension benefits without being approved for department approved training. The matter of claimant's eligibility for approved training is remanded to the Agency.

**DECISION:**

The unemployment insurance decision dated June 19, 2012, reference 03, is reversed. The agency shall remove the warning from its records since issuance of the warning was unwarranted.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs