

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARCIA C CARTHEY
Claimant

APPEAL NO: 10A-UI-02793-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/24/10
Claimant: Appellant (1)**

Section 96.4-3 - Active Search for Work

STATEMENT OF THE CASE:

Marcia C. Carthey (claimant) appealed a representative's February 16, 2010 decision (reference 01) that warned her that she had failed to make the minimum job contacts during the week ending February 13, 2010. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on April 10, 2010. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the work search warning issued to the claimant appropriate in this case?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits effective January 24, 2010. She had filed weekly claims for the weeks ending January 30 and February 6 during which weeks she had made at least two job contacts which she reported. During the week ending February 13 she made no job contacts and accurately reported this on her weekly claim for that week.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.4-3 and 871 IAC 24.22(3) provide that as part of being able and available for work each week while receiving unemployment insurance benefits, a claimant must make a personal and diligent effort to find a job. The law further provides that a claimant shall be ineligible for benefits for any period for which the Agency finds the individual failed to make an earnest and active search for work. The claimant did not make the required work search during the week ending February 13, 2010. Therefore, the warning issued to her in the representative's decision was warranted.

DECISION:

The unemployment insurance decision dated February 16, 2010 (reference 01) is affirmed. The claimant did not make an active search for work during the week ending February 13, 2010. Therefore, the warning issued to her was warranted.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

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