

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

JASON J BUTLER
403 CRESTVIEW AVE
OTTUMWA IA 52501

IOWA WORKFORCE DEVELOPMENT
DEPARTMENT

Appeal Number: 04A-UI-01054-CT
OC: 01/11/04 R: 03
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4(3) – Work Search Requirements

STATEMENT OF THE CASE:

Jason Butler filed an appeal from a representative's decision dated January 27, 2004, reference 02, which warned that he was to make at least two in-person job contacts each week. Due notice was issued scheduling the matter for a telephone hearing to be held on February 24, 2004. Mr. Butler responded to the notice of hearing but was not available at the number provided at the scheduled time of the hearing. His letter of appeal was admitted as Exhibit A.

FINDINGS OF FACT:

Having reviewed all the evidence in the record, the administrative law judge finds: Mr. Butler filed a claim for job insurance benefits effective January 11, 2004. When he called in his claim for the first week of unemployment, he inadvertently indicated fewer than two in-person job contacts for the week. During that week, he had made three job contacts through his local Workforce Development office and had also completed applications at John Deer Ottumwa Works and Bruce Guyer Salvage.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the warning issued to Mr. Butler should stand. An individual is required to actively and earnestly seek work as a condition of receiving job insurance benefits. See Iowa Code Section 96.4(3). A work-search warning is appropriate where an individual does, in fact, fail to make at least two in-person contacts as required. However, in the case at hand, the administrative law judge is satisfied that Mr. Butler did make the required job contacts. As such, the warning shall be removed.

DECISION:

The representative's decision dated January 27, 2004, reference 02, is hereby reversed. The warning issued to Mr. Butler is rescinded as he did make the required search for work.

cfc/kjf