

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HARLAN D PETERS
Claimant

APPEAL NO. 07A-UI-01959-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INC OF CEDAR RAPIDS
Employer

**OC: 01/07/07 R: 02
Claimant: Appellant (1)**

Section 96.4-3 - Work Search

STATEMENT OF THE CASE:

Harlan Peters (claimant) appealed a representative's January 31, 2007 decision (reference 03) that concluded he was no longer considered temporarily unemployed from Manpower (employer) and must begin to search for work by making no fewer than two in-person job contacts per week. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on March 13, 2007. The claimant participated personally. The employer participated by Debra Chamberlain, Risk Control Manager.

ISSUE:

The issue is whether the claimant is obligated to make at least two in-person work searches during each week benefits are claimed.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed a claim for unemployment insurance benefits with an effective date of January 7, 2007. The employer indicates that the claimant may be permanently, not temporarily, unemployed.

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".

The claimant may be permanently laid off from work and is obligated to make at least two in-person work searches during each week benefits are claimed.

DECISION:

The representative's January 31, 2007 decision (reference 03) is affirmed. The decision advising claimant that he is no longer considered temporarily laid off and that he must conduct at least two in-person work searches during each week benefits are claimed was appropriate.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/pjs