

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

COREY J MEYER
Claimant

APPEAL NO: 13A-UI-02327-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

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

Iowa Code § 96.4(3) – Active Work Search

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's February 19, 2013 determination (reference 02) that gave him a warning for not making any job contacts during the week of February 16, 2013. The claimant participated in the hearing. Based on the evidence, the claimant's arguments and the law, the administrative law judge concludes the claimant should not have receiving a warning for this week.

ISSUE:

Was the warning the claimant received for the week ending February 16, 2013, warranted?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of November 18, 2012. The claimant was on a temporary layoff and was not required to look for work. The claimant went back to work in mid-January and did not file any weekly claims until he reopened his claim the week of February 10, 2013.

The claimant reopened his claim because his employer reduced his hours. Since he was still working, the claimant did not look for any work the week ending February 16, 2013. After the claimant received a warning for failing to make any job contacts the week ending February 16, his group code was changed to a 3 so he did not have to look for work.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must make an active search for work. Iowa Code § 96.4(3). When a claimant does not make an earnest and active search for work, he is not eligible to receive benefits. 871 IAC 24.22(3). The evidence indicates that when the claimant reopened his claim, he should still have been coded as a group 3 and was not required to look for work. Therefore, the warning he received for the week ending February 16, 2013 is not warranted and should be removed.

DECISION:

The representative's February 19, 2013 determination (reference 02) is reversed. The claimant was not required to look for work during the week ending February 16, 2013. Therefore, the warning he received for this week is not warranted and should be removed.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs