

**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**

**ELISABETH J SEIBERT  
7534 N 46<sup>TH</sup> CIR  
GLENDALE AZ 85301**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-10614-AT  
OC: 01-11-04 R: 02  
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, 4<sup>th</sup> 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.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.4-3 – Work Search Warning

STATEMENT OF THE CASE:

Elisabeth J. Seibert filed a timely appeal from an unemployment insurance decision dated September 21, 2004, reference 05, which issued a warning upon a finding that she had made no job contacts during the week ending September 18, 2004. After due notice was issued, a telephone hearing was held on October 19, 2004 with Ms. Seibert participating. Exhibit A was admitted into evidence on her behalf.

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Elisabeth J. Seibert reopened her unemployment insurance claim effective July 25, 2004. In September 2004, she accepted a part-time job. She contacted Iowa Workforce Development by telephone from her home in Arizona with questions about reporting ineligibility requirements. She spoke with a woman who advised her, among other things, that she need not conduct a work search during any week in which she worked 25 hours or more. Since Ms. Seibert worked 25 or more hours during the week ending September 18, 2004, she did not conduct a work search and reported such when she filed her weekly claim.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. It should. The evidence in this record establishes to the satisfaction of the administrative law judge that Ms. Seibert received either incorrect or unclear information from an employee of Iowa Workforce Development. Under these circumstances, the warning should be removed.

DECISION:

The unemployment insurance decision dated September 21, 2004, reference 05, is reversed. The warning is removed from the claimant's record.

pjs/tjc