

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RUTH J FINK-WINTER**  
Claimant

**APPEAL NO. 07A-UI-06574-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/08/06 R: 12  
Claimant: Appellant (2)**

Section 96.4(3) – Work Search

**STATEMENT OF THE CASE:**

The claimant, Ruth Fink-Winter, filed an appeal from a decision dated June 26, 2007, reference 02. The decision warned her to make two in-person job contacts every week to remain eligible to receive unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on July 19, 2007. The claimant participated on her own behalf.

**ISSUE:**

The issue is whether the claimant made two in-person job contacts for the week in question.

**FINDINGS OF FACT:**

Ruth Fink filed an additional claim for unemployment benefits with an effective date of June 3, 2007. She was approved for resume search, as her occupation as an engineer does not promote in-person job contacts but resume searches. During the week ending June 23, 2007, Ms. Fink-Winter made at least four resume searches and also during that week was offered, and accepted, a new job which began on June 26, 2007.

**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 did make the required number of job contacts for the week ending June 23, 2007, as required by the above Code section.

**DECISION:**

The representative's decision of June 26, 2007, reference 02, is reversed. Ruth Fink-Winter is eligible for benefits, provided she is otherwise qualified.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw