

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

BARBARA J STUMBO
1019 – 222ND DR
OGDEN IA 50212

IOWA WORKFORCE DEVELOPMENT
DEPARTMENT

Appeal Number: 04A-UI-11447-CT
OC: 05/23/04 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, 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:

Barbara Stumbo filed an appeal from a representative's decision dated October 19, 2004, reference 03, which warned that she had to make at least two in-person job contacts each week. After due notice was issued, a hearing was held by telephone on November 17, 2004. Ms. Stumbo participated personally and Exhibit A was admitted on her behalf.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Stumbo was advised by her local office that she did not

have to make job contacts because she was working part time. As a result of this information, she did not make job contacts for the week ending October 16, 2004.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the work search warning issued to Ms. Stumbo should be rescinded. She failed to make job contacts only because she was relying on information provided by Workforce Development. She should not be penalized for relying on that information. For this reason, the warning shall be removed.

DECISION:

The representative's decision dated October 19, 2004, reference 03, is hereby reversed. The work search warning issued to Ms. Stumbo is rescinded.

cfc/kjf