

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GLEN A SCHROEDER
Claimant

APPEAL NO. 08A-UI-01459-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 01/27/08 R: 04
Claimant: Appellant (2)**

Section 96.4(3) – Work Search Requirements

STATEMENT OF THE CASE:

Glen Schroeder filed an appeal from a representative's decision dated February 5, 2008, reference 01, which warned that he was to make at least two in-person job contacts each week. After due notice was issued, a hearing was held by telephone on February 26, 2008. Mr. Schroeder participated personally.

ISSUE:

At issue in this matter is whether the work search warning should be rescinded.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Schroeder filed his claim for job insurance benefits on Thursday, January 31, 2008. He was provided written materials explaining his rights and responsibilities. Mr. Schroeder made one job contact on January 31. He was ill on February 1 and 2 and, therefore, did not make additional job contacts for the week. He has made at least two in-person contacts each week thereafter.

REASONING AND CONCLUSIONS OF LAW:

In order to maintain eligibility for job insurance benefits, an individual must actively and earnestly seek work. See Iowa Code section 96.4(3). Workforce Development has interpreted this to mean at least two in-person job contacts each week. Ordinarily, an individual has a full week in order to make the required contacts. Mr. Schroeder filed his claim on a Thursday, leaving him only two days in which to make two contacts. But for his illness on February 1 and 2, he probably would have met the minimum requirements.

Inasmuch as most individuals have a full week in order to meet the work search requirements and Mr. Schroeder had only two days, the administrative law judge concludes that the work search warning in reference to the week ending February 2, 2008 should be removed.

DECISION:

The representative's decision dated February 5, 2008, reference 01, is hereby reversed. The work search warning issued to Mr. Schroeder for the week ending February 2, 2008 shall be removed.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css