

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**KAREN J FULLENWIDER**  
Claimant

**APPEAL 21A-UI-16735-AR-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/11/21**  
**Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Able and Available/Work Search  
Iowa Admin. Code r. 871—24.22(3) – Earnest and Active Search for Work  
Iowa Admin. Code r. 871—24.23(28) – Work Search Warning

**STATEMENT OF THE CASE:**

On July 29, 2021, claimant, Karen J. Fullenwider, filed an appeal from the July 27, 2021, (reference 01), unemployment insurance decision that warned claimant to make at least two work-search contacts per week but did not deny benefits for the week ending July 24, 2021. After due notice was issued, a telephone conference hearing was scheduled to be held on September 22, 2021. Claimant participated personally. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Did the claimant make an adequate work search for the week ending July 24, 2021, and was the warning appropriate?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant claimed benefits for the week ending July 24, 2021. The week ending July 24, 2021, claimant testified that she did not make any new job contacts. That week was unusually busy for her. She began scheduling and onboarding for a new part-time job for which she had previously applied. She also had other follow-up items for other part-time jobs that she completed that week. However, she did not make new job contacts that week, and did not realize she had not done so until the day she filed her weekly continuing claim.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes that the claimant has not made an active and earnest search for work during the week ending July 24, 2021.

Iowa Code § 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".

Iowa Admin. Code r. 871—24.23(28) provides:

**Availability disqualifications.** The following are reasons for a claimant being disqualified for being unavailable for work.

(28) A claimant will be ineligible for benefits because of failure to make an adequate work search after having been previously warned and instructed to expand the search for work effort.

The claimant has not sufficiently demonstrated to the satisfaction of the administrative law judge an active and earnest search for work for the week ending July 24, 2021, according to the work-search requirements laid out for claimants. Accordingly, the warning was appropriate.

**DECISION:**

The July 27, 2021, (reference 01) unemployment insurance decision is affirmed. The claimant did not make an active and earnest search for work for the week ending July 24, 2021. Therefore, the warning was appropriate.



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Alexis D. Rowe  
Administrative Law Judge

September 27, 2021  
Decision Dated and Mailed

ar/mh