

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARJORY E FESTVOG**  
Claimant

**APPEAL NO: 12A-UCFE-00037-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/07/12**  
**Claimant: Appellant (1)**

Section 96.4-3 - Active Work Search

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated November 6, 2012, reference 01, that warned that the claimant had failed to make two in-person job contacts for the week ending November 3, 2012. A telephone hearing was held on December 10, 2012. The claimant participated in the hearing.

**ISSUE:**

Did the claimant actively search for work?

**FINDINGS OF FACT:**

The claimant filed a new claim for unemployment insurance benefits with an effective date of October 7, 2013. At the time the claimant filed for benefits, the claimant was informed and understood in the brochure she received that she was required to actively seek work by personally contacting two employers each week seeking employment.

The claimant made two job contacts during the week ending November 3 but the contacts were online. After the week ended, the claimant filed a weekly claim for benefits using the voice response system. The claimant reported that she had not made two in-person job contacts. Based on that response, the agency issued a warning that the claimant could be disqualified in a future week if she failed to make two in-person job contacts. The claimant has since that time obtained approval to make job contacts by résumé.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law requires claimants to earnestly and actively seek work each week to receive benefits, unless they have been exempted from this requirement by the agency. Iowa Code § 96.4-3. The rules state that a claimant who fails to make an adequate work search after having been previously warned and instructed to expand the search for work effort is ineligible to receive benefits. 871 IAC 24.23(28).

The claimant did not make an active search for work in accordance with the law and the instructions given to her for the week ending November 3, 2012. The warning was therefore warranted.

**DECISION:**

The unemployment insurance decision dated November 6, 2012, reference 01, is affirmed. The claimant failed to make an active search for work during the week ending November 3, 2012, and was properly warned.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css