

**BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building, 4TH Floor
Des Moines, Iowa 50319
eab.iowa.gov**

JOANNE M ENYART

Claimant

and

IWD REEMPLOYMENT SERVICES

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HEARING NUMBER: 22B-UI-08713

**EMPLOYMENT APPEAL BOARD
DECISION**

N O T I C E

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT IS FILED WITHIN 30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.4-3

D E C I S I O N

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

While the Administrative Law Judge found an inadequate search/availability because the claimant failed to engage in at least four reemployment activities our review is not rigid. We write to clarify that there is no magic number of contacts in our view that will, as a matter of law, establish a lack of availability, or earnest job search. Nevertheless, failure to meet IWD's demand to expand a search, after warning, is good evidence of such a lack of availability, and on this record we affirm the Administrative Law Judge.

James M. Strohman

Ashley R. Koopmans

RRA/fnv

Myron R. Linn