

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
MARK A HAWLEY Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT	APPEAL NO: 10A-UI-02365-DT ADMINISTRATIVE LAW JUDGE DECISION OC: 01/31/10 Claimant: Appellant (2)

Section 96.4-3 - Active Search for Work

STATEMENT OF THE CASE:

Mark A. Hawley (claimant) appealed a representative's February 9, 2010 decision (reference 02) that warned him that he had failed to make the minimum job contacts during the week ending February 6, 2010. A hearing notice was mailed to the claimant's last-known address of record for a telephone hearing to be held on April 3, 2010. Prior to the hearing being held, the administrative law judge determined that no hearing was necessary and a decision was made on the record. Based on a review of the information in the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the work search warning issued to the claimant appropriate in this case?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits effective January 31, 2010. When he made his first weekly claim for that week, ending February 6, 2010, he inadvertently did not indicate that he had made at least two job contacts that week, even though he had made more than two contacts. He now understands how and which contacts he can include in his weekly claims.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.4-3 and 871 IAC 24.22(3) provide that a claimant must make a personal and diligent effort to find a job and that a claimant shall be ineligible for benefits for any period for which the Agency finds the individual failed to make an earnest and active search for work. The evidence establishes the claimant made multiple job contacts during the week ending February 6, 2010. Therefore, the warning issued to the claimant in the representative's decision is not warranted.

DECISION:

The unemployment insurance decision dated February 9, 2010 (reference 02) is reversed. The claimant made an active search for work during the week ending February 6, 2010. Therefore, the warning issued to him was not warranted and shall be removed from his benefit history.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/pjs