

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JAMES L NEIS
Claimant

APPEAL NO: 13A-UI-06240-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 09/16/12
Claimant: Appellant (2)

Iowa Code § 96.4(3) – Active Work Search

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's May 21, 2013 determination (reference 01) that gave him a warning for not making two job contacts for the week ending May 18, 2013. The claimant and his witness, Sharon Neis, participated at the hearing. The claimant agreed a decision could be made based on information in the administrative record. Based on the administrative record and the law, the administrative law judge concludes the warning the claimant received is not warranted.

ISSUE:

Did the claimant make an active work search for the week ending May 18, 2013?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of September 16, 2012. He filed a claim for the week ending May 18, 2013. The claimant made two job contacts this week, Packer's Chemical and Advance Auto. When the claimant filed his claim he inadvertently hit the wrong key or number and recorded 0 job contacts instead of the 2 he made.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must make an active search for work. Iowa Code § 96.4(3). When a claimant does not make an earnest and active search for work, he may not eligible to receive benefits. 871 IAC 24.22(3). The claimant made an active work search for the week ending May 18, 2013. Therefore, the warning he received in a May 21 determination is not warranted.

DECISION:

The representative's May 21, 2013 determination (reference 01) is reversed. The claimant made an active work search for the week ending May 18, 2013. The warning he received is not warranted and should be removed from his benefit history.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs