

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**WILLIAM E CORRICK**  
Claimant

**APPEAL 21A-UI-08752-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/07/21  
Claimant: Appellant (2)**

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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 March 29, 2021, claimant William E. Corrick filed an appeal from the March 23, 2021, (reference 02), 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 March 13, 2021. After due notice was issued, a telephone conference hearing was held on Friday, June 11, 2021. Claimant participated.

**ISSUE:**

Did the claimant make an adequate work search for the week ending March 13, 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 March 13, 2021. According to the claimant's record of work search and the administrative record he did make two work searches for that week. Claimant applied for positions at Kum and Go and at Williamsburg Manufacturing. He made an error in the reporting system when filing the weekly claim. It was his first week of reporting a claim.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes that the claimant has made an active and earnest search for work and was available for work during the week-ending March 13, 2021.

Iowa Code section 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.

Here, claimant provided credible testimony that he applied for two positions during the week ending March 13, 2021. He simply made an error when filing his first weekly claim. The claimant has sufficiently demonstrated to the satisfaction of the administrative law judge an active and earnest search for work for the week ending March 13, 2021. Accordingly, the warning was not appropriate.

**DECISION:**

The March 23, 2021, (reference 02) unemployment insurance decision is reversed. The claimant did make an active and earnest search for work for the week ending March 13, 2021. Therefore, the warning was not appropriate.



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June 25, 2021  
Decision Dated and Mailed

lj/ol