

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**AMANDA M RICHARDS
3625 WESTERN PINE DR
CEDAR RAPIDS IA 52402**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-05553-CT
OC: 04/25/04 R: 03
Claimant: Appellant (2)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4(3) – Work Search Requirements

STATEMENT OF THE CASE:

Amanda Richards filed an appeal from a representative's decision dated May 4, 2004, reference 02, which warned that she had to make at least two in-person job contacts each week. After due notice was issued, a hearing was held by telephone on June 7, 2004. Ms. Richards participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Richards filed a claim for job insurance benefits effective April 25, 2004 and was provided written materials regarding the work search

requirements. During the week ending May 1, she sought work in person at Toyota Financial. She completed an application over the computer with GEICO. She only indicated one in-person contact when she called in her claim because she did not realize the on-line application counted as an in-person job contact.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the warning issued to Ms. Richards should be rescinded. As a condition of receiving job insurance benefits, an individual must actively and earnestly look for work. Iowa Code Section 96.4(3). The work search requirement has been interpreted to mean at least two in-person job contacts each week. Ms. Richards did, in fact, make the required in-person contacts for the week at issue. A work search warning is only appropriate where an individual fails to make the required work search. Inasmuch as Ms. Richards did make the required number of in-person contacts, the warning shall be removed.

DECISION:

The representative's decision dated May 4, 2004, reference 02, is hereby reversed. The work search warning issued to Ms. Richards is rescinded as she did make the required work search during the week ending May 1, 2004.

cfc/b