

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

TERRI L CAMELIN
2320 BENTON AVE
MT PLEASANT IA 52641

IOWA WORKFORCE DEVELOPMENT
DEPARTMENT

Appeal Number: 04A-UI-11129-CT
OC: 09/26/04 R: 04
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:

Terri Camelin filed an appeal from a representative's decision dated October 6, 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 November 9, 2004. Ms. Camelin 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. Camelin filed her claim for job insurance benefits on

Friday October 1. She was given written materials explaining her responsibilities. Because she had worked three days that week, Ms. Camelin believed she would not be required to conduct a work search. She did, however, make at least one in-person contact that week. She also contacted two employer's by telephone seeking work.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the work-search warning sent to Ms. Camelin should be rescinded. An individual claiming job insurance benefits must actively and earnestly look for work. Iowa Code section 96.4(3). The law requires at least two in-person contacts each week. Ms. Camelin did not file her claim until the Friday of the week beginning September 26, 2004. Given the timing of her application, her failure to seek work that week in the manner required by Workforce Development was excusable. She did make three contacts, at least one of which was in-person. For the above reasons, the administrative law judge concludes that the warning should be removed.

DECISION:

The representative's decision dated October 6, 2004, reference 02, is hereby reversed. The work-search warning issued to Ms. Camelin shall be removed.

cfc/kjf