

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

<b>JANICE E JONES</b> Claimant  <b>IOWA WORKFORCE DEVELOPMENT DEPARTMENT</b>	68-0157 (9-06) - 3091078 - EI  <b>APPEAL NO. 08A-UI-08098-AT</b>  <b>ADMINISTRATIVE LAW JUDGE DECISION</b>  <b>OC: 06/22/08 R: 03</b> <b>Claimant: Appellant (2)</b>
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Section 96.4-3 – Active Work Search

**STATEMENT OF THE CASE:**

Janice E. Jones filed a timely appeal from an unemployment insurance decision dated September 9, 2008, reference 04, that issued a warning upon a finding that she had not conducted an active work search during the week ending September 6, 2008. After reviewing all matters of record, the administrative law judge concludes that no additional evidence is necessary.

**ISSUE:**

Should the warning be removed from the claimant's record?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: Janice E. Jones was in department approved training (DAT) status from August 3, 2008, through August 30, 2008, while working on her GED. After a one-week break during Labor Day week, she returned to department approved training status for the period September 7, 2008, through September 27, 2008, to continue working on the GED. She did not conduct a work search during the week ending September 6, 2008.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the warning should be removed from the claimant's record. The administrative law judge concludes that it should.

Ordinarily a work search is required of claimants in weeks not covered by department approved training status. An exception should be made in the present case. Most importantly, the claimant is working toward her GED. Obtaining the GED will greatly improve the claimant's chances for employment. Second, the break between DAT sessions lasted for one calendar week, shortened by the Labor Day holiday. Under these circumstances, a work search should not be required. The warning should be removed.

**DECISION:**

The unemployment insurance decision dated September 9, 2008, reference 04, is reversed.  
The warning shall be removed from the claimant's record.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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