

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SCOTT L HORRELL
Claimant

APPEAL NO. 08A-UI-06804-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 07/13/08 R: 02
Claimant: Appellant (2)

Section 96.4-3 – Work Search

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated July 22, 2008, reference 01, which issued a warning upon a finding that the claimant had failed to make sufficient job contacts during the week ending July 19, 2008. After a review of the information in the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony 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: The claimant filed a claim for benefits effective July 13, 2008. The claim was filed late in the workweek, giving the claimant insufficient time to perform a full work search.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. Iowa Code section 96.4-3 requires that claimants make an active work search each week that they request benefits. The Agency ordinarily interprets this to require a minimum of two contacts per week. The record in this case, however, establishes that the claim was filed late in the workweek. The claimant did not have a reasonable opportunity to conduct a full work search. Under these circumstances, the warning should be removed.

DECISION:

The unemployment insurance decision dated July 22, 2008, reference 01, is reversed. The warning is removed from the claimant's record.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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