

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROSEMARY THORNLEY**  
Claimant

**APPEAL NO. 07A-UI-06813-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 06/03/07 R: 02**  
**Claimant: Appellant (1)**

Section 96.4(3) – Work Search Requirements

**STATEMENT OF THE CASE:**

Rosemary Thornley filed an appeal from a representative's decision dated July 3, 2007, reference 01, which warned that she was to make at least two in-person job contacts each week. After due notice was issued, a hearing was held by telephone on July 30, 2007. Ms. Thornley participated personally.

**ISSUE:**

At issue in this matter is whether the work search warning issued to Ms. Thornley should be rescinded.

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Thornley filed a claim for job insurance benefits effective June 3, 2007. She was mailed written materials outlining the work search responsibilities. Approximately one week after filing her claim, Ms. Thornley was made aware she could apply for Division Approved Training (DAT) because she was in school. A decision was issued on July 9, 2007 approving DAT for the period from July 1, 2007 through May 4, 2008. Ms. Thornley did not make any job contacts during the week ending June 30, 2007.

**REASONING AND CONCLUSIONS OF LAW:**

In order to receive job insurance benefits, an individual must actively and earnestly seek work. Iowa Code section 96.4(3). The work search requirements are waived if an individual is in training with the approval of Workforce Development. Iowa Code section 96.4(6). Although Ms. Thornley was found eligible for DAT, the effective date of the allowance is July 1, 2007. Therefore, she was required to conduct a work search for the period before July 1.

Ms. Thornley did not conduct a work search for the week ending June 30, 2007, which was prior to the effective date of her DAT approval and prior to when she was notified of the DAT approval. Because she did not conduct a work search, the warning shall stand. The warning

does not result in a disqualification from benefits. However, if Ms. Thornley fails to conduct a proper work search at any future point when one is required, a disqualification may be imposed at that time.

**DECISION:**

The representative's decision dated July 3, 2007, reference 01, is hereby affirmed. The work search warning issued to Ms. Thornley for the week ending June 30, 2007 was appropriate and shall stand.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/css