

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HEVER ARELLANES**  
Claimant

**APPEAL NO. 10A-UI-12028-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 06/20/10**  
**Claimant: Appellant (1)**

Iowa Code § 96.4-3 – Active Search for Work

**STATEMENT OF THE CASE:**

Hever Arellanes (claimant) appealed an unemployment insurance decision dated August 23, 2010, reference 04, which issued him a warning for not making a minimum of two in-person job contacts during the week ending August 14, 2010. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on September 27, 2010. The claimant participated in the hearing. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

The issue is whether the claimant made an active and earnest search for work for the week ending August 14, 2010?

**FINDINGS OF FACT:**

The administrative law judge, having reviewed and considered the evidence in the record, finds that: The claimant established a claim for unemployment insurance benefits effective June 20, 2010. He understood that each week he filed a claim for unemployment insurance benefits, he was required to make a minimum of two in-person job contacts. During the week ending August 14, 2010, the claimant failed to make a minimum of two in-person job contacts.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant is actively and earnestly seeking work. Before a claimant is considered eligible to receive weekly unemployment insurance benefits, he must make an active search for work. Iowa Code section 96.4-3. The administrative rule states an individual shall be ineligible for benefits for any period for which the department finds the individual failed to make an earnest and active search for work. An individual must make a sincere effort to find a job. 871 IAC 24.22(3).

The claimant did not make two in-person job contacts for the week ending August 14, 2010. Making two in-person job contacts is evidence of earnestly and actively seeking work. The

evidence does not support a finding that the claimant was earnestly and actively seeking work and, therefore, the warning shall remain in full force and effect.

**DECISION:**

The unemployment insurance decision dated August 23, 2010, reference 04, is affirmed. The claimant did not make two in-person job contacts for the week ending August 14, 2010, and the warning shall remain in full force and effect.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/kjw