

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHERRI K KONFRST
Claimant

APPEAL NO. 11A-UI-06986-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/01/11
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 May 24, 2011, reference 03, which issued a warning to the claimant based upon a finding that the claimant had not performed an active work search for the week ending May 21, 2011. After reviewing the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

ISSUE:

Should the claimant receive a warning for failing to make at least two in-person job contacts during the week in question?

FINDINGS OF FACT:

The decision notifying Sherri K. Konfrst that she must conduct a work search was mailed to her on May 18, 2011. She would not have received it until Thursday, May 19, 2011, at the earliest.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. The warning for the week ending May 21, 2011, should be removed. The claimant had, at most, two workdays in which to conduct an active work search. It would be unfair to penalize the claimant under these circumstances. She must, however, conduct an active work search each week thereafter.

DECISION:

The unemployment insurance decision dated May 24, 2011, reference 03, is reversed. The warning is removed from the claimant's record.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw