

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CINDY L BURKEN
Claimant

APPEAL NO. 10A-UI-11456-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/30/10
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 20, 2010, 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 July 17, 2010. 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:

Having examined all matters of record, the administrative law judge finds: On July 19, 2010 Iowa Workforce Development mailed a notice to Cindy L. Burken advising her that she must make at least two in-person job contacts each week. On the following day, it issued a decision issuing a warning to her that she had not made any job contacts for the week ending July 17, 2010.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. It should. The claimant was not notified of the work search requirement until after the week for which the warning was issued. Under these circumstances, the warning shall be removed.

DECISION:

The unemployment insurance decision dated July 20, 2010, reference 03, is reversed. The warning is removed from the claimant's record.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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