

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JOEL WEBER**  
Claimant

**APPEAL NO: 07A-UI-03445-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/31/06 R: 04  
Claimant: Appellant (2)**

Section 96.4-3 – Active Search for Work

**STATEMENT OF THE CASE:**

Joel Weber (claimant) appealed an unemployment insurance decision dated March 27, 2007, reference 02, which issued him a warning for not making a minimum of two in-person job contacts during the week ending March 24, 2007. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on April 19, 2007. The claimant participated in the hearing. Based on the evidence, the arguments of the party, 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 March 24, 2007.

**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 December 31, 2006. 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 March 24, 2007, he made two in-person job contacts. The claimant filed a claim for the week ending March 24, 2007 and reported that he did make two in-person job contacts but the computer system reported it was having problems and advised him to call back. When the claimant called back a couple hours later, the computer system advised him that he had already filed his weekly claim.

**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 has sufficiently demonstrated to the satisfaction of the administrative law judge that appropriate in-person work search contacts were made for the week ending March 24, 2007. Accordingly, the warning shall be rescinded.

**DECISION:**

The unemployment insurance decision dated March 27, 2007, reference 02, is reversed. The claimant made two in-person job contacts for the week ending March 24, 2007, and the warning shall be rescinded.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/pjs