

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**NATHAN J EHRLER**  
Claimant

**APPEAL NO. 09A-UI-14693-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Original Claim: 07/26/09  
Claimant: Appellant (2)**

Section 96.4-3 – Active Work Search

**STATEMENT OF THE CASE:**

Nathan J. Ehrler filed a timely appeal from an unemployment insurance decision dated September 29, 2009, reference 01, that issued a warning to him upon a finding that he had not made at least two job contacts during the week ending September 26, 2009. After reviewing the information in the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

**ISSUE:**

Should the warning be removed from the claimant's record?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: The claimant accepted employment during the week ending September 19, 2009, and earned less than the sum of the claimant's weekly benefit amount plus \$15.00. The claimant made no further job contacts because of having accepted employment. The claimant accepted employment with John Deere Dubuque Works pursuant to his recall rights following a prior layoff.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the warning should be removed from the claimant's record.

Iowa Code section 96.4-3 requires that claimants make an active work search each week that they request benefits. The Agency ordinarily interprets this to require a minimum of two contacts per week. The record in this case, however, establishes that the claimant's work search was successful. No further work search should be required. The warning should be removed.

**DECISION:**

The unemployment insurance decision dated September 29, 2009, reference 01, is reversed.  
The warning is removed from the claimant's record.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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