

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROGER CHAMPLIN
Claimant

APPEAL NO: 09A-UI-00352-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/07/08 R: 12
Claimant: Appellant (1)**

Section 96.4-3 - Active Search for Work

STATEMENT OF THE CASE:

Roger Champlin (claimant) an unemployment insurance decision dated January 6, 2009, reference 02, which issued him a warning for not making a minimum of two in-person job contacts during the week ending January 3, 2009. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on January 26, 2009. 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 January 3, 2009.

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 7, 2008. 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 January 3, 2009, the claimant made only one job contact due to a death in the family.

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 January 3, 2009. 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 for the week ending January 3, 2009, and therefore, the warning shall remain in full force and effect.

DECISION:

The unemployment insurance decision dated January 6, 2009, reference 02, is affirmed. The claimant did not make two job contacts for the week ending January 3, 2009 and the warning shall remain in full force and effect.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs