

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHARLES F TIBBEN
Claimant

APPEAL NO. 07A-UI-06873-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/17/07 R: 03
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 10, 2007, reference 02, 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 7, 2007. 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: Charles F. Tibben filed a claim for unemployment insurance benefits effective June 17, 2007. He was initially advised that he would not need to conduct a work search. At approximately 4:00 p.m. on Saturday, July 7, 2007 he learned that a work search would be required. He did not have an opportunity to do so that afternoon.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. It should. The evidence establishes that the claimant did not learn of his work search requirement until late on a Saturday afternoon. This effectively deprived him of an opportunity to conduct a work search for the week ending July 7, 2007. Under these circumstances, the warning should be removed.

DECISION:

The unemployment insurance decision dated July 10, 2007, reference 02, is reversed. The warning is removed from the claimant's record.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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