

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CALEB R GUSTAFSON**  
Claimant

**APPEAL NO. 10A-UI-14263-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CLINTON STAFFING COMPANY**  
Employer

**OC: 09/19/10  
Claimant: Respondent (1)**

Section 96.4-3 – Work Search

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated October 15, 2010, reference 01, which held that the claimant was required to seek work and keep a record of his job contacts. After due notice, a telephone conference hearing was scheduled for and held on December 1, 2010. Employer participated by Beth Dever. The claimant did respond to the hearing notice. When his number was called by the administrative law judge, he did not answer and a message was left. The claimant called later to say that he had been taking his mother to the doctor. No testimony was taken given the procedural posture of this case. Official notice is taken of agency records.

**ISSUE:**

Whether the claimant was required to make a work search.

**FINDINGS OF FACT:**

The administrative law judge, having considered all of the evidence in the record, makes the following findings of fact:

This appeal by the employer concerns an agency decision that is not adverse to the employer and does not concern the employer. The employer appealed the decision because the employer does not believe it should be charged for any unemployment benefits paid to the claimant. Agency records show that a notice of claim was mailed to the employer on October 4, 2010. Ms. Dever stated that a protest was sent to the agency on October 14, 2010. No representative's decision has been filed to date on the protest.

The claimant did not file an appeal of the decision in this case that required him to make a work search.

**REASONING AND CONCLUSIONS OF LAW:**

The only party to whom this decision applied did not appeal the decision. The representative's decision dated October 15, 2010, reference 01, is affirmed. This decision does not in any way decide separation issues that may be present between the claimant and the employer.

**DECISION:**

The decision of the representative dated October 15, 2010, reference 01, is affirmed. The claimant is required to actively seek work.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/css