

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

MELISSA M KLOCKSIEN
110 BONNIE BLVD
HUDSON IA 50643

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-01469-AT
OC: 01-25-04 R: 03
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4-3 – Active Work Search

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated February 3, 2004, 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 January 31, 2004. After reviewing the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Melissa M. Klocksien filed her original unemployment insurance claim on Thursday, January 29, 2004. During that calendar week she had time to contact only one prospective employer.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. The administrative law judge concludes that it should because the claimant did not contact the agency to commence her benefit year until the Thursday of the calendar week which had begun on January 25, 2004. Under these circumstances, a single job contact is sufficient. The warning shall be removed.

DECISION:

The unemployment insurance decision dated February 3, 2004, reference 02, is reversed. The warning is removed from the claimant's record.

sb/b