

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SUSAN L HALE Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT	68-0157 (9-06) - 3091078 - EI APPEAL NO. 06A-UI-11181-DWT ADMINISTRATIVE LAW JUDGE DECISION OC: 10/15/06 R: 03 Claimant: Appellant (2)
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Section 96.4-3 – Active Search for Work

STATEMENT OF THE CASE:

Susan L. Hale (claimant) appealed a representative's November 14, 2006 decision (reference 01) that gave her a warning for failing to make an adequate work search for the week ending November 4, 2006. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on December 5, 2006. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant make an adequate work search during for week ending November 4, 2006?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of October 15, 2006. The claimant received information she was required to make a minimum of two job contacts each week she filed a claim for benefits.

During the week of October 23, an employer offered the claimant a job to start working on November 1, 2006. As a result of starting a new job, the claimant did not make any job contacts the week ending November 4, 2006. The claimant started her new job on November 1, 2006. The claimant filed a claim for partial benefits for the week ending November 4, 2006. The claimant received \$9.00 in benefits for this week.

REASONING AND CONCLUSIONS OF LAW:

Before a claimant is considered eligible to receive weekly unemployment insurance benefits, she must make an active search for work. Iowa Code § 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).

Since the claimant started a new job on November 1, work search requirements for the week ending November 4, 2006, should have been waived. Therefore, the warning issued to the claimant in the representative's November 14, 2006 decision is not warranted.

DECISION:

The representative's November 14, 2006 decision (reference 01) is reversed. The claimant's work search requirements for the week ending November 4, 2006 are waived since she started a new job on November 1, 2006. Therefore, the warning issued to the claimant for this week was not warranted and shall be removed from her benefit history.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw