

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**JENNIFER BIOCHE**  
Claimant

**APPEAL 15A-UI-12320-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 01/18/15**  
**Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the October 27, 2015, (reference 08), unemployment insurance decision that denied benefits for the one week from October 4, 2015 through October 10 due to the claimant's alleged failure to make an adequate work search. After due notice was issued, a telephone conference hearing was scheduled to be held on December 11, 2015. Claimant's appeal letter alone was sufficient to resolve the issue and no hearing was held.

**ISSUE:**

Did the claimant make an adequate search for work for the week ending October 10, 2015?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was offered and accepted a job on October 8. She began working for the employer the next week. Once a claimant accepts work there is no reason for them to continue to make job searches. During her weekly claim for the week ending October 10 the claimant indicated she only made one job search contact because she was offered and accepted employment during her interview.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes that the claimant has made an active and earnest search for work.

Iowa Code § 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant has sufficiently demonstrated to the satisfaction of the administrative law judge an active and earnest search for work for the week ending October 10, 2015 as she sought and obtained work that week. Once the claimant was offered and accepted work, she was no longer required to make work searches. Accordingly, benefits are allowed.

**DECISION:**

The October 27, 2015, reference 08, decision is reversed. The claimant did make an active and earnest search for work for the week ending October 10, 2015. Benefits are allowed, provided the claimant is otherwise eligible.

---

Teresa K. Hillary  
Administrative Law Judge

---

Decision Dated and Mailed

tkh/pjs