

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARK K KVAMMEN
Claimant

APPEAL NO. 13A-UI-09647-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 11/11/12
Claimant: Appellant (2)**

Iowa Code Section 96.4(3) – Work Search

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the August 16, 2013, reference 02, decision that warned him he was required to make a minimum of two employer contacts during each week he claimed benefits and that concluded he had made only one job contact during the week that ended July 27, 2013. A hearing was set for September 13, 2013 and notice was mailed to the claimant on September 3, 2013. Upon review of the administrative file, the administrative law judge concludes that a hearing is unnecessary.

ISSUE:

Whether the claimant has been able to work and available for work since establishing his claim for benefits.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: During the week that ended July 27, 2013, the claimant made two employer contacts and reported two employer contacts.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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".

During the week that ended July 27, 2013, the claimant complied with the work search requirement by making two employer contacts.

DECISION:

The agency representative's August 16, 2013, reference 02, is reversed. The claimant met the work search requirement for the week that ended July 27, 2013 and is eligible for benefits, provided he is otherwise eligible.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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