

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**LISA M MACNAUGHTON**  
Claimant

**APPEAL NO. 14A-UI-11440-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/21/14  
Claimant: Appellant (2)**

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Iowa Code § 96.4-3 – Warning – Active Search for Work

**STATEMENT OF THE CASE:**

Lisa MacNaughton (claimant) an unemployment insurance decision dated October 29, 2014 (reference 03) which issued her a warning for not making a minimum of two in-person job contacts during the week ending October 25, 2014. Due notice was issued scheduling the matter for a telephone hearing to be held December 1, 2014. Because a decision fully favorable to the party could be made based on the administrative record, a hearing was deemed unnecessary.

**ISSUE:**

The issue is whether the claimant made an active and earnest search for work for the week ending October 25, 2014.

**FINDINGS OF FACT:**

The administrative law judge, having reviewed and considered the evidence in the record, finds that: The claimant established a claim for unemployment insurance benefits effective September 21, 2014. She understood that each week she filed a claim for unemployment insurance benefits; she was required to make a minimum of two in-person job contacts. During the week ending October 25, 2014 the claimant accepted a job offer with a starting date of November 3, 2014. Consequently, she did not make two job contacts.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant is actively and earnestly seeking work. 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).

The claimant accepted a job offer during the week ending October 25, 2014 and she started work on November 3, 2014. Consequently, she did not have to make two additional job contacts. Accordingly, the warning shall be rescinded.

**DECISION:**

The unemployment insurance decision dated October 29, 2014 (reference 03) is reversed. The claimant accepted a job offer during the week ending October 25, 2014 and the warning shall be rescinded.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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