

employer. The claimant remains attached to the regular employer. The Agency miscoded the claim for benefits to indicate that the claimant was required to make an active work search.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record.

Iowa Code section 96.4-3 establishes a general rule that all claimants must make an active work search each week that they request benefits. The statute, however, creates several exceptions, one of which is for individuals temporarily laid off from their regular employer. The evidence in this record persuades the administrative law judge that this claimant is such a person. The claimant is not required to make a work search. The warning shall be removed.

DECISION:

The unemployment insurance decision dated October 4, 2005, reference 01, is reversed. The warning is removed from the claimant's record.

Kkf/kjw