

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JOETTE WORKE Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT	<div>68-0157 (9-06) - 3091078 - EI</div> <div>APPEAL NO: 07A-UI-08615-BT ADMINISTRATIVE LAW JUDGE DECISION</div> <div>OC: 08/26/07 R: 02 Claimant: Appellant (2)</div>
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Section 96.4-3 – Active Search for Work

STATEMENT OF THE CASE:

Joette Worke (claimant) appealed an unemployment insurance decision dated September 5, 2007, reference 02, which issued her a warning for not making a minimum of two in-person job contacts during the week ending September 1, 2007. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was scheduled to be held on September 25, 2007. The claimant elected not to participate but submitted a written statement. Based on the evidence, the arguments of the party, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant made an active and earnest search for work for the week ending September 1, 2007.

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 August 26, 2007. 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 September 1, 2007, she made two in-person job contacts. The claimant filed a claim for the week ending September 1, 2007 and mistakenly reported that she did not make two in-person 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 section 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 has sufficiently demonstrated to the satisfaction of the administrative law judge that appropriate in-person work search contacts were made for the week ending September 1, 2007. Accordingly, the warning shall be rescinded.

DECISION:

The unemployment insurance decision dated September 5, 2007, reference 02, is reversed. The claimant made two in-person job contacts for the week ending September 1, 2007, and the warning shall be rescinded.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs