

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

JENNIFER L REBEL
804 – 63RD ST
WINDSOR HEIGHTS IA 50312

IOWA WORKFORCE
DEVELOPMENT DEPARTMENT

Appeal Number: 04A-UI-08356-CT
OC: 05/30/04 R: 02
Claimant: Appellant (2)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.4(3) – Work Search Requirements

STATEMENT OF THE CASE:

Jennifer Rebel filed an appeal from a representative's decision dated July 27, 2004, reference 01, which warned that she was to make at least two in-person job contacts each week. After due notice was issued, a hearing was held by telephone on August 25, 2004. Ms. Rebel participated personally.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all the evidence in the record, the administrative law judge finds: On July 13, 2004, Ms. Rebel accepted a verbal offer of employment with the Des Moines Independent Community School District for the 2004-2005

school year. She contacted her local Workforce Development office to inquire as to what she should do on her claim in light of the job offer. She was told to continue making weekly job contacts until she signed a contract for employment. She was told that she could discontinue making job contacts after she signed her contract but could still receive benefits until she started her new job. Based on this information, Ms. Rebel did not make work searches after signing her contract for employment on July 22, 2004.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether the work search warning issued to Ms. Rebel should be rescinded. She failed to make an earnest and active search for work beginning the week ending July 24, 2004. However, her failure was due to misinformation from her local office. Inasmuch as she was acting in good-faith reliance on instructions from her local office, the warning shall be removed. Ms. Rebel is reminded that, on future claims, she is to make at least two in-person job contacts during each week for which she seeks job insurance benefits.

DECISION:

The representative's decision dated July 27, 2004, reference 01, is hereby reversed. The work search warning issued to Ms. Rebel shall be removed.

cfc/b