IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

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

DEAN L MCGILL
Claimant

IOWA WORKFORCE DEVELOPMENT DEPARTMENT

APPEAL NO. 11A-EUCU-00358-AT

ADMINISTRATIVE LAW JUDGE DECISION

OC: 10/03/10
Claimant: Appellant (2)

Section 96.4-3 – Work Search

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated March 25, 2011, reference 01, which issued a warning to the claimant based upon a finding that the claimant had not performed an active work search for the week ending March 19, 2011. After reviewing the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

ISSUE:

Should the claimant receive a warning for failing to make at least two in-person job contacts during the week in question?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: During the week ending March 19, 2011, the claimant contacted at least two prospective employers in person. The claimant inadvertently indicated otherwise while filing his claim for the week in question.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the warning should be removed from the claimant's record. For the reasons which follow, the administrative law judge concludes that it should.

Iowa Code section 96.4-3 establishes the requirement that claimants must make an active work search each week that they request benefits. The Agency ordinarily interprets this provision as requiring a minimum of two in-person job contacts each week. The evidence in this record persuades the administrative law judge that the claimant conducted the requisite work search but inadvertently indicated otherwise. The warning shall be removed.

DECISION:

The unemployment insurance decision dated March 25, 2011, reference 01, is reversed. The warning is removed from the claimant's record.

_____
Dan Anderson
Administrative Law Judge

_____
Decision Dated and Mailed

kjw/kjw