

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KRISTINE L ROGOWSKI**  
Claimant

**APPEAL NO. 10A-UI-16196-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 10/24/10**  
**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 November 17, 2010, reference 02, which imposed a warning upon a finding that the claimant had failed to make an active work search for the week ending November 13, 2010. After a review of the information in the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

**ISSUE;**

Should the warning be removed from the claimant's record?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: The claimant filed a weekly claim for unemployment insurance benefits for the week ending November 13, 2010 to keep her claim open. She received severance pay for the week in question and did not anticipate receiving unemployment insurance benefits for that week.

**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 requires that an individual conduct a work search during each week that the claimant requests unemployment insurance benefits. Here the claimant did not request unemployment insurance benefits but filed a weekly claim only to keep the claim open. Therefore, the warning should be removed.

**DECISION:**

The unemployment insurance decision dated November 17, 2010, reference 02, is reversed.  
The warning is removed from the claimant's record.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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