

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CLINT M MYER**  
Claimant

**APPEAL NO: 08A-UI-04517-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/20/08 R: 02**  
**Claimant: Appellant (1)**

Section 96.4-3 - Active Search for Work

**STATEMENT OF THE CASE:**

Clint M. Myer (claimant) appealed a representative's April 29, 2008 decision (reference 02) that warned him that he had failed to make the minimum in-person job contacts during the week ending April 26, 2008. A hearing notice was mailed to the claimant's last-known address of record for a telephone hearing to be held on May 28, 2008. The claimant failed to respond to the hearing notice and provide a telephone number at which he could be reached for the hearing and did not participate in the hearing. Based on a review of the information in the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Is the work search warning issued to the claimant appropriate in this case?

**FINDINGS OF FACT:**

The claimant established a claim for unemployment insurance benefits effective April 20, 2008. He was categorized as a "group two" claimant. He filed a continued weekly claim for the week ending April 26, 2008 indicating he had made at least two job contacts that week, but indicated that they were not both in-person. The claimant's appeal indicated that one of the contacts was made in person but that the other contact was made via the Internet.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.4-3 and 871 IAC 24.22(3) provide that a claimant must make a personal and diligent effort to find a job and that a claimant shall be ineligible for benefits for any period for which the Agency finds the individual failed to make an earnest and active search for work. Most claimants, including this claimant, are classified as "group two" and are subject to the general requirement to make two in-person job contacts. 871 IAC 24.2-1-c. The on-line and hard copy guidebook "*Facts About Unemployment Insurance*" further contains the advice, "Everyone is required to make a minimum of two in-person work search contacts each week unless otherwise specified." Id. at page 5 in hard copy or PDF; <http://www.iowaworkforce.org/ui/guide.htm>.

The warning was not issued due to any finding the claimant had intentionally failed to comply with the requirement; it is a warning, not a disqualification. The warning issued to the claimant in this case was appropriate.

**DECISION:**

The unemployment insurance decision dated April 29, 2008 (reference 02) is affirmed. The claimant made search for work during the week ending April 29, 2008, but it did not fully comply with the two in-person job contact requirement. Therefore, the warning issued to him was appropriate.

---

Lynette A. F. Donner  
Administrative Law Judge

---

Decision Dated and Mailed

ld/pjs