

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**STEVEN LEWIS**  
Claimant

**APPEAL NO. 06A-UI-11554-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 09/10/06 R: 02  
Claimant: Appellant (2)**

Section 96.4-3 – Active Search for Work

**STATEMENT OF THE CASE:**

Steven Lewis (claimant) an unemployment insurance decision dated November 21, 2006, reference 03, which issued him a warning for not making a minimum of two in-person job contacts during the week ending November 18, 2006. After a hearing notice was mailed to the party's last-known address of record, a telephone hearing was held on December 18, 2006. The claimant participated in the hearing. 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 is actively and earnestly seeking work?

**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 September 10, 2006. During the week ending November 18, 2006, the claimant made one in-person job contact and was hired part-time. Due to his initial training, he was not able to make the second job contact that week. He continues looking for employment because he has only found a part-time job and is looking for full-time.

**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, he 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 evidence clearly indicates the claimant actively looked for work during the week ending November 18, 2006 and his actions resulted in part-time employment. Therefore, the warning issued to the claimant was not warranted.

**DECISION:**

The unemployment insurance decision dated November 21, 2006, reference 03, is reversed. The claimant was actively and earnestly looking for work during the week ending November 18, 2006 and the warning shall be rescinded.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/kjw