

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DONALD R POST
Claimant

APPEAL NO: 12A-UI-06827-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 04/15/12
Claimant: Appellant (3)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Code § 96.4(3) – Active Work Search

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a May 30, 2012 determination (reference 03) that warned him he was required to make two job contacts, not one, each week he filed a claim for benefits. The claimant participated in the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the warning the claimant received was warranted and the claimant is not eligible to receive benefits for the week of May 20 because he was ill and unable to work.

ISSUES:

During the week of May 20 was the claimant able to work?

Should the claimant have received a work search warning the week of May 20, 2012?

FINDINGS OF FACT:

The claimant established a claim for benefits during the week of April 15, 2012. The week of May 20, the claimant made one job contact because he was ill and unable to work or look for work. The claimant filed a claim for benefits for the week ending May 26, 2012.

REASONING AND CONCLUSIONS OF LAW:

Each week a claimant files a claim for benefits, he must be able to and available for work and actively look for work. Iowa Code § 96.4(3).

Since the claimant was required to make a minimum of two job contacts each week he filed a claim for benefits and only made one, the warning he received for the week of May 20 was justified.

The claimant established he was not able to work the week of May 20 because he was ill and could not work or look for work. As a result, he is not eligible to receive benefits for the week ending May 26, 2012.

Even if the claimant had looked for work and was able to work the week of May 20, he would not be eligible to receive benefits based on the decision for appeal 12A-UI-05655-AT.

DECISION:

The representative's May 30, 2012 determination (reference 03) is modified against the claimant. The work search warning the claimant received was justified because he made only one job contact the week ending May 26, 2012. The claimant was ill and unable to work the week ending May 26, 2012. Therefore, he was not eligible to receive benefits for this week.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css