

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DOROTHY J SCHUMER**  
Claimant

**APPEAL NO. 11A-UI-07187-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/03/11  
Claimant: Appellant (1)**

Iowa Code § 96.4(3) - Able and Available/Work Search

**STATEMENT OF THE CASE:**

The claimant, Dorothy Schumer, filed an appeal from a decision dated May 24, 2011, reference 03. The decision found the claimant had not made an active search for work for the week ending May 21, 2011. After due notice was issued a hearing was held by telephone conference call on June 15, 2011. The claimant participated on her own behalf.

**ISSUE:**

The issue is whether the claimant made an earnest and active search for work.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant claimed benefits for the week ending May 21, 2011. The claimant did not make two in-person work searches for that week.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant did not make an active and earnest search for work for the week ending May 21, 2011 by making at least two job contacts. .

**DECISION:**

The representative's decision of May 24, 2011, reference 03, is affirmed. The claimant is warned to make two in-person job contacts each week to maintain eligibility for benefits.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

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