

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PAMALA L SMITHSON
Claimant

APPEAL NO: 10A-UI-00122-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 12/20/09
Claimant: Appellant (2)

Section 96.4-3 – Active Search for Work

STATEMENT OF THE CASE:

The claimant appealed a representative's December 29, 2009 decision (reference 02) that gave her a warning for not making two in-person job contacts during the week ending December 26, 2009. A telephone hearing was held on February 13, 2010. The claimant did not respond to the hearing notice or participate in the hearing. Based on the administrative record and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant make an active search for work during the week ending December 26, 2009?

FINDINGS OF FACT:

The claimant established a claim for unemployment insurance benefits during the week of December 20, 2009. The claimant understood that each week she filed a claim for unemployment insurance benefits she was required to make a minimum of two job contacts. During the week ending December 26, 2009, she made at least two job contacts by completing on-line job applications. The claimant filed a claim for the week ending December 26, 2009.

On January 13, 2009, the Department changed the claimant's work search equipments so she could make two contacts either in-person or by sending her resume for potential employers.

REASONING AND CONCLUSIONS OF LAW:

Before a claimant is considered eligible to receive weekly unemployment insurance benefits, she 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 administrative record shows the claimant actively looked for work during the week ending December 26, 2009. Therefore, the warning issued to her in the representative's December 29, 2009 decision is not warranted.

DECISION:

The representative's December 29, 2009 decision (reference 02) is reversed. The claimant made an active search for work during the week ending December 29, 2009. Therefore, the warning she received for this week was not warranted.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs