

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

TONIA NOORDT
Claimant

APPEAL NO. 20A-UI-02393-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/23/20
Claimant: Appellant (2)**

Section 96.4-3 – Adequate Work Search

STATEMENT OF THE CASE:

Tonia Noordt (claimant) appealed a representative's March 17, 2020, decision (reference 03) that concluded she had made fewer than the required two in-person job contacts and a warning should be issued. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on April 29, 2020. The claimant participated personally.

The claimant offered and Exhibit A was received into evidence. The administrative law judge took official notice of the administrative file.

ISSUE:

The issue is whether the claimant is actively and earnestly seeking work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant filed for unemployment insurance benefits on February 23, 2020. During the week ending March 14, 2020, she had internet issues resulting in incorrect computer response data. She made two work searches for the week ending March 14, 2020.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant was actively and earnestly seeking work for the week ending March 14, 2020.

Iowa Code section 96.4(3) provides:

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

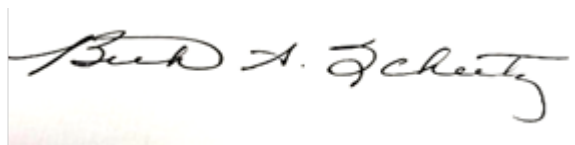
3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38,

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 has sufficiently demonstrated to the satisfaction of the administrative law judge that appropriate work searches were made for the week ending March 14, 2020. Accordingly, the warning shall be rescinded.

DECISION:

The representative's March 17, 2020, decision (reference 03) is reversed. The claimant was looking for work during the week ending March 14, 2020. The warning shall be rescinded.



Beth A. Scheetz
Administrative Law Judge

May 1, 2020
Decision Dated and Mailed

bas/scn