

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**RONALD W PERRIN**  
Claimant

**APPEAL 22A-UI-06319-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/19/21  
Claimant: Appellant (2)**

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Iowa Code § 96.4(3) – Able and Available/Work Search  
Iowa Admin. Code r. 871-24.22(3) – Earnest and Active Search for Work  
Iowa Admin. Code r. 871-24.23(28) – Work Search Warning

**STATEMENT OF THE CASE:**

On March 12, 2022, claimant Ronald W. Perron filed an appeal from the March 9, 2022, (reference 01), unemployment insurance decision that advised the claimant they were no longer considered temporarily unemployed and warned the claimant they must begin making a minimum of four employment contacts each week. After due notice was issued, a telephone conference hearing was scheduled to be held at 11:00 a.m. on Friday, April 22, 2022. However, the administrative law judge found sufficient information in the appeal letter and administrative record to resolve the matter without testimony. No hearing was held.

**ISSUE:**

Is the claimant required to begin making employment contacts?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant is employed with Manatt's, which performs road construction work and holds a public contract to work on roads and highways. Effective December 19, 2021, the claimant opened a claim for unemployment insurance benefits due to a temporary, seasonal layoff from employment. Claimant is categorized in group code 3 for purposes of employment contacts. Claimant's employment is classified in a set of trades and occupations that are exempt from making employment contacts for the duration of the claim year.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes that the claimant is exempt from making the minimum of four employment contacts on a weekly basis.

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:

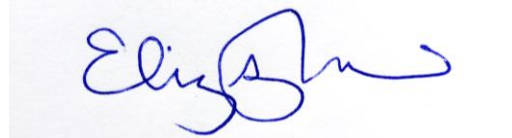
3. (a) The individual is able to work, is available for work, and is earnestly and actively seeking work...

(b) Notwithstanding any provision of this chapter to the contrary, the department may establish by rule a process to waive or alter the work search requirements of this subsection for a claim for benefits if an individual has a reasonable expectation that the individual will be returning to employment and is attached to a regular job or industry... To be considered attached to a regular job or industry, an individual must be on a short-term temporary layoff.

In this case, Iowa Workforce Development has made the policy decision to exempt workers in claimant's trade/occupation from weekly employment contacts. This exemption will ensure they are available to return to employment with their regular employer whenever called to return. Therefore, the administrative law judge finds the claimant was not required to make employment contacts and the notice issued was not appropriate and must be removed.

**DECISION:**

The March 9, 2022, (reference 01) unemployment insurance decision is reversed. The claimant is not required to begin making employment contacts. Therefore, the notice issued was not appropriate and must be removed.



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Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

April 26, 2022  
Decision Dated and Mailed

lj/lj