

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JEFF A JONES**  
Claimant

**APPEAL NO. 10A-UI-13069-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/15/10  
Claimant: Appellant (2)**

Section 96.4-3 – Work Search

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from an unemployment insurance decision dated September 14, reference 02, which issued a warning to the claimant based upon a finding that the claimant had not performed an active work search for the week ending September 11, 2010. After reviewing the claimant's appeal letter and Agency benefit payment records, the administrative law judge concludes that no additional testimony is necessary.

**ISSUE:**

Should the claimant receive a warning for failing to make at least two in-person job contacts during the week in question?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: On August 24, 2010, the agency mailed a monetary determination to the claimant containing work search instructions. The instructions are as follows:

You must make at least two job contacts each week and keep a written record of the contacts. Contacts may be in person or by resume.

During the week ending September 11, 2010, fewer than two of the claimant's work search contacts were made in person. He accurately reported his work search activity to the agency.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the warning should be removed from the claimant's record. It should. Since the agency authorized Mr. Jones to conduct his work search either in person or by resume, it cannot now issue a warning to him for following the agency's instructions. The claimant should be advised that job contacts made via the internet are considered to be in person. If the claimant wishes to conduct his work search strictly by resume, he should contact his local workforce center and request to be re-coded for straight resume work search.

**DECISION:**

The unemployment insurance decision dated September 14, 2010, reference 02, is reversed.  
The warning is removed from the claimant's record.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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