

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HEIDI L STEINE**  
Claimant

**APPEAL NO. 11A-UI-01266-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**BLUFFS INN HOTEL AND RESORT**  
Employer

**OC: 01/31/10**  
**Claimant: Respondent (1)**

Section 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Bluffs Inn Hotel and Resort (employer) appealed a representative's January 26, 2011 decision (reference 03) that concluded Heidi Steine (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on March 1, 2011. The claimant did not provide a telephone number where she could be reached and, therefore, did not participate. The employer participated by Kathryn Plumb, Manager.

**ISSUE:**

The issue is whether the claimant is disqualified for being unavailable for 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 was hired on November 23, 2010, as a part-time housekeeper. She consistently worked five days per week. Her hours varied depending on the number of guests.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 24.23(26) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(26) Where a claimant is still employed in a part-time job at the same hours and wages as contemplated in the original contract for hire and is not working on a reduced workweek basis different from the contract for hire, such claimant cannot be considered partially unemployed.

The claimant was hired as a part-time worker and is still working part-time for the employer. She is still employed in a part-time position as was agreed to at the time she was hired. The claimant is not disqualified from receiving unemployment insurance benefits.

**DECISION:**

The January 26, 2011, reference 03, decision is affirmed. The claimant is not disqualified from receiving unemployment insurance benefits because she is able and available for work. The employer is not relieved of charges.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs