

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JANA S CRULL
Claimant

APPEAL NO. 11A-UI-15534-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SOUTHEASTERN COMMUNITY COLLEGE
Employer

OC: 10/30/11
Claimant: Respondent (4)

Section 96.7-2-a(2) – Relief of Charges

STATEMENT OF THE CASE:

Southeastern Community College filed a timely appeal from an unemployment insurance decision dated December 1, 2011, reference 02, that allowed benefits to Jana S. Crull but this did not relieve the employer of charges for those benefits. After due notice was issued, a telephone hearing was held January 4, 2012 with Human Resources Director Michelle Foster participating for the employer. The claimant did not participate.

ISSUE:

Can the employer be relieved of charges?

FINDINGS OF FACT:

Jana S. Crull, formerly a permanent employee of Southeastern Community College, left that employment several years ago in order to accept permanent, full-time work. She continues to teach one-day continuing education classes for the school in the spring and fall.

REASONING AND CONCLUSIONS OF LAW:

The employer does not challenge the claimant's eligibility for benefits. The only issue it raised on appeal is whether the college can be relieved of charges for those benefits. Iowa Code § 96.7-2-a(2) allows an employer to be relieved of charges if it is providing the same employment to the individual as during the individual's base period. The evidence in this record establishes that it does.

DECISION:

The unemployment insurance decision dated December 1, 2011, reference 02, is modified. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible. These benefits shall not be charged to the account of Southeastern Community College.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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