

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MICHELLE L MCKINNEY**  
Claimant

**APPEAL NO. 09A-UI-10121-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PROFESSIONAL CASE MANAGEMENT**  
Employer

**OC: 08/03/08**  
**Claimant: Respondent (5R)**

Section 96.4-3 – Eligibility for Benefits

**STATEMENT OF THE CASE:**

Professional Case Management filed a timely appeal from an unemployment insurance decision dated July 9, 2009, reference 04, that allowed benefits to Michelle L. McKinney upon a finding that she was still employed part time by Professional Case Management, working whenever work was available. After due notice was issued, a telephone hearing was held July 31, 2009 with Ms. McKinney participating. The employer did not respond to the notice.

**ISSUE:**

Is the claimant still employed?

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Michelle L. McKinney's employment with Professional Case Management ended on or about June 30, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

The evidence in this record establishes that Ms. McKinney's employment with Professional Case Management has ended. Since the employer did not participate in the hearing, the administrative law judge was unable to take evidence from both parties on the separation. That issue is remanded to the Unemployment Insurance Services Division.

**DECISION:**

The unemployment insurance decision dated July 9, 2009, reference 04, is modified. The claimant's employment with Professional Case Management ended on or about June 30, 2009. The question of whether the separation was a disqualifying event is remanded to the Unemployment Insurance Services Division.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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