

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

WANDA J PRICE
Claimant

THE SALVATION ARMY
Employer

APPEAL 16A-UI-08677-DL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/29/16
Claimant: Appellant (1)

Iowa Code § 96.19(18)a(6)(a, b) – Employment – Religious Organizations

STATEMENT OF THE CASE:

The claimant filed an appeal from the July 29, 2016, (reference 04) decision that denied benefits because wages paid were from a religious organization and is not considered insured work. After due notice was issued, a hearing was held on August 26, 2016. Claimant participated. Employer did not respond to the hearing notice instruction and did not participate.

ISSUE:

Was claimant paid for insured work with The Salvation Army?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed with The Salvation Army, a religious organization, until June 2016, when her hours and pay were cut so she began claiming partial unemployment insurance benefits. She had insured wages from other employers and is monetarily eligible for benefits.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant is not eligible to have The Salvation Army wages added to her account.

Iowa Code § 96.19(18)a(6)(a, b) provides:

18. *“Employment”*.

a. Except as otherwise provided in this subsection, *“employment”* means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, expressed or implied. Employment also means any service performed prior to January 1, 1978, which was employment as defined in this subsection prior to such date and, subject to the other provisions of this subsection, service performed after December 31, 1977, by:

(6) For the purposes of subparagraphs (4) and (5), the term “*employment*” does not apply to service performed:

(a) In the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches.

(b) By a duly ordained, commissioned, or licensed minister of a church in the exercise of that ministry or by a member of a religious order in the exercise of duties required by such order.

Because services performed for The Salvation Army is not considered employment, wages earned are not considered insured for the purpose of unemployment insurance benefits and may not be included in the base period monetary record.

DECISION:

The July 29, 2016, (reference 04) unemployment insurance decision is affirmed. The claimant is not eligible for benefits based upon those wages. Benefits are allowed, provided she is otherwise eligible based upon the wage history with insured employers.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/pjs