

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MEGAN M RONNENBERG
Claimant

APPEAL 15A-UI-13919-SC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

UNITED WAY OF EAST CENTRAL IOWA
Employer

**OC: 11/29/15
Claimant: Respondent (1)**

Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-Finding Interview

STATEMENT OF THE CASE:

United Way of East Central Iowa (employer) filed an appeal from the December 16, 2015 (reference 02) unemployment insurance decision that allowed benefits based upon the determination Megan Ronnenberg (claimant) was laid off due to a lack of work. The parties were properly notified about the hearing. A telephone hearing was held on January 8, 2016. The claimant participated on her own behalf. The employer participated through Chief Operating Office Tim Stiles. Employer's Exhibit One was received.

ISSUES:

Did the claimant voluntarily quit the employment with good cause attributable to the employer?

Has the claimant been overpaid unemployment insurance benefits, and if so, can the repayment of those benefits to the Agency be waived?

Can charges to the employer's account be waived?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The facts of this case are uncontested. The claimant was hired as a temporary full-time employee as part of the employer's Loaned Executive Program. She agreed to work for the employer from August 26, 2015 through November 25, 2015. The claimant completed the agreed upon contract of hire.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation was not disqualifying. Benefits are allowed.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Iowa Admin. Code r. 871-24.26(22) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(22) The claimant was hired for a specific period of time and completed the contract of hire by working until this specific period of time had lapsed. However, this subrule shall not apply to substitute school employees who are subject to the provisions of Iowa Code § 96.4(5) which denies benefits that are based on service in an educational institution when the individual declines or refuses to accept a new contract or reasonable assurance of continued employment status. Under this circumstance, the substitute school employees shall be considered to have voluntarily quit employment.

Inasmuch as the claimant completed the contract of hire with the employer, no disqualification is imposed.

As benefits are allowed, the issues of overpayment, repayment, and the chargeability of the employer's account are moot.

DECISION:

The December 16, 2015 (reference 02) decision is affirmed. Claimant's separation from employment was for no disqualifying reason. Benefits are allowed, provided she is otherwise eligible. The issues of overpayment, repayment, and the chargeability of the employer's account are rendered moot by the affirmance.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

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