

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DOUGLAS A JONES
Claimant

APPEAL NO. 12A-UI-01939-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ARCHER-DANIELS-MIDLAND CO
Employer

**OC: 01/01/12
Claimant: Appellant (2)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Douglas Jones, filed an appeal from a decision dated February 16, 2012, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on March 14, 2012. The claimant participated on his own behalf. The employer, ADM, participated by Human Resources Bryce Albrechtsen.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Douglas Jones was employed by ADM from May 23 until August 18, 2011 as a full-time temporary electrician. He was hired under the employer's internship program, which employs college students for the summer. Mr. Jones made it clear at the time he was hired he intended to leave at the end of the summer. He also informed his superintendent and asked what he should do when the time came to leave. The superintendent told him to give two weeks' notice, which he did.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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.

871 IAC 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 section 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.

The claimant and employer agreed Mr. Jones would only be working for the summer and he did work during that period as agreed. Under the provisions of the above Administrative Code section, this is not a disqualifying separation. Benefits are allowed.

DECISION:

The representative's decision of February 16, 2012, reference 01, is reversed. Douglas Jones is qualified for benefits, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw