

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SHANNON L MULLINS**  
Claimant

**APPEAL NO. 12A-UI-08401-A**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DES MOINES IND COMMUNITY SCH DIST**  
Employer

**OC: 06/03/12**  
**Claimant: Appellant (1)**

Section 96.4-5-b – Reasonable Assurance

**STATEMENT OF THE CASE:**

Shannon L. Mullins filed a timely appeal from an unemployment insurance decision dated July 9, 2012, reference 02, that denied benefits to him between the 2011-2012 and 2012-2013 academic years upon a finding that he had reasonable assurance of continued employment by an academic institution. After due notice was issued, a hearing was held in Des Moines, Iowa on September 10, 2012 with Benefits and Insurance Director Catherine M. McKay participating for the district. Mr. Mullins did not respond when paged at the time of the hearing. There had been no contact from Mr. Mullins by the time the hearing ended.

**ISSUE:**

Does the claimant have reasonable assurance of continued employment?

**FINDINGS OF FACT:**

During the 2011-2012 academic year Shannon L. Mullins was employed full time as a bus driver, working 195 days, the length of the school year. He is employed in the same capacity during the 2012-2013 school year. The only difference in compensation is a small pay increase for the 2012-2013 academic year.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.4-5-b denies unemployment insurance benefits between academic terms and years for employees of academic institutions who have reasonable assurance of continued employment during the second academic year or term. The evidence in this record establishes that Mr. Mullins has the same job with Des Moines Independent Community School District as he had during the previous academic year. Therefore, he is not eligible to receive unemployment insurance benefits between the 2011-2012 and 2012-2013 academic years.

**DECISION:**

The unemployment insurance decision dated July 9, 2012, reference 02, is affirmed. The claimant is ineligible for unemployment insurance benefits between academic years and terms.

---

Dan Anderson  
Administrative Law Judge

---

Decision Dated and Mailed

css/css