

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LONNIE M MCCLAIN**  
Claimant

**APPEAL NO. 13A-UI-01586-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**4 SEASONS FUNDRAISING INC**  
Employer

**OC: 01/22/12**  
**Claimant: Respondent (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The employer, 4 Seasons, filed an appeal from a decision dated February 4, 2013, reference 03. The decision allowed benefits to the claimant, Lonnie McClain. After due notice was issued, a hearing was held by telephone conference call on March 11, 2013. The claimant participated on her own behalf. The employer participated by Human Resources Manager Dennis Horrigan.

**ISSUE:**

The issue is whether the claimant is on short-term layoff.

**FINDINGS OF FACT:**

Lonnie McClain was employed by 4 Seasons from September 17 until December 12, 2012. She was a part-time, seasonal packer. At the time of hire she was notified the job would be of limited duration and would end when there was no more work to do. On December 13, 2012, the manager, Brett, notified everyone the job was over for the year.

**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 was hired to work a specific job on a temporary basis. She worked through the entire agreed period until notified by the employer there was no further work. Under the provisions of the above Administrative Code section, this is not a disqualifying separation and benefits are allowed.

**DECISION:**

The representative's decision of February 4, 2013, reference 03, is affirmed. Lonnie McClain is qualified for benefits, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/tll