

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MOHAMED M HASSAN

Claimant

APPEAL NO: 13A-UI-04933-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

AGRI STAR MEAT & POULTRY LLC

Employer

OC: 03/24/13

Claimant: Respondent (1)

Iowa Code § 96.19(38)b – Partially Unemployed

PROCEDURAL STATEMENT OF THE CASE:

The employer appealed a representative's April 18, 2013 determination (reference 01) that held the claimant eligible to receive partial benefits as of March 24, 2013, because he was working reduced hours. The claimant participated in the hearing. Laura Roney and Diane Guerrero appeared on the employer's behalf. Karim Allin interpreted the hearing. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is eligible to receive partial benefits as of March 24, 2013.

ISSUE:

As of March 24, 2013, is the claimant eligible to receive partial benefits?

FINDINGS OF FACT:

The claimant started working for the employer in February 2010. The claimant worked full time.

The claimant established a claim for benefits during the week of March 24, 2013. His maximum weekly benefit amount is \$396.00.

The claimant was not scheduled to work 40 hours a week during the weeks ending March 30 and April 6, 2013. The employer scheduled the claimant reduced hours these weeks. For the week ending March 30, the claimant worked 21.08 hours and for the week ending April 6, 2013, he worked about 24 hours. The claimant filed claims for partial benefits for the weeks ending March 30 and April 6, 2013.

REASONING AND CONCLUSIONS OF LAW:

A claimant is partially unemployed when he works less than full-time hours and earns less than his maximum weekly benefit amount plus \$15.00. Iowa Code § 96.19(38)b. The employer hired the claimant to work full time, but he worked a reduced workweek the weeks ending March 30 and April 6, 2013. Since he worked less than 40 hours a week and earned gross wages of less than \$411.00 both these weeks, he is eligible to receive partial benefits for the weeks ending March 30 and April 6, 2013.

DECISION:

The representative's April 18, 2013 determination (reference 01) is affirmed. The claimant is eligible to receive partial benefits for the weeks ending March 30 and April 6, 2013. The employer's account is subject to charge.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css