

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DALE E COLLINS

Claimant

APPEAL NO. 11A-UI-01488-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DES MOINES AREA COMM COLLEGE

Employer

OC: 03/21/10

Claimant: Appellant (2)

Section 96.4-5-b - Reasonable Assurance

STATEMENT OF THE CASE:

Dales E. Collins filed a timely appeal from an unemployment insurance decision dated January 27, 2011, reference 02, that denied benefits to him effective December 29, 2010 upon a finding that he had reasonable assurance of continued employment for the spring 2011 semester with Des Moines Area Community College. After due notice was issued, a telephone hearing was held March 8, 2011 with Mr. Collins participating. Exhibit A was admitted into evidence on his behalf. The employer did not participate in the hearing.

ISSUE:

Did the claimant have reasonable assurance of continued employment?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Dale E. Collins is an adjunct instructor for Des Moines Area Community College. He is hired semester by semester with no guarantee of further employment beyond the current semester. He filed an additional claim for unemployment insurance benefits effective December 19, 2010 after the end of the fall semester. On January 14, 2011 Mr. Collins received written confirmation that the school would have work for him during the spring semester.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Mr. Collins eligible for unemployment insurance benefits for the period between semesters during the 2010 – 2011 academic year. He is.

Iowa Code section 96.4-5-b denies unemployment insurance benefits to employees of academic institutions such as Des Moines Area Community College, provided that the individual has reasonable assurance of continued employment. The evidence in the record establishes that Mr. Collins did not have confirmation from the employer until the week that classes actually

started. Under these circumstances, he may receive unemployment insurance benefits for the three weeks between December 19, 2010 and January 8, 2011.

DECISION:

The unemployment insurance decision dated January 27, 2011, reference 02, is reversed. The claimant is entitled to receive unemployment insurance benefits for the three weeks ending January 8, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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