

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SREY PHIV BORIBOUN
Claimant

APPEAL NO: 10A-UI-03090-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PELLA REGIONAL HEALTH CENTER
Employer

**OC: 01/17/10
Claimant: Appellant (2)**

871 IAC 24.28 – Requalifying Wages

STATEMENT OF THE CASE:

The claimant appealed a representative's February 23, 2010 decision (reference 01) that disqualified her from receiving benefits, and held the employer's account exempt from charge because the claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. A telephone hearing was held on March 31, 2010. The claimant participated in the hearing. Ashley Arkema appeared on the employer's behalf. Based on the administrative record and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Is the claimant eligible to receive benefits as of January 17, 2010?

FINDINGS OF FACT:

The claimant worked part time for the employer until September 25, 2009. The claimant then asked the employer to change her status to PRN or as-needed. When the claimant worked part time for the employer, she worked full time for Pella Corporation. The claimant still works full time for Pella Corporation working on-call or as-needed for the employer.

During the fourth quarter of 2009, the claimant earned more than ten times her weekly benefit amount, \$423.00, from wages she earned from Pella Corporation. The claimant established a claim for benefits during the week of January 17, 2010, when she had to take a week of furlough at Pella Corporation.

REASONING AND CONCLUSIONS OF LAW:

The claimant is disqualified from receiving unemployment insurance benefits if she voluntarily quits employment without good cause attributed to the employer or is discharged for work-connected misconduct. Since the claimant asked that her employment relationship be changed from part-time to PRN or as-needed, for unemployment insurance purposes, the claimant quit her part-time job.

Since the claimant has earned more than ten times her weekly benefit in the fourth quarter of 2004, she is qualified to receive benefits as of January 17, 2010. 871 IAC 24.28. The employer's account will not be charged for benefits the claimant may receive during her current benefit year.

DECISION:

The representative's February 23, 2010 decision (reference 01) is reversed. The claimant requalified by earning at least ten times her weekly benefit amount in the fourth quarter of 2009. As of January 17, 2010, the claimant is qualified to receive benefits. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css