

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**YVONNE C POPE**  
Claimant

**APPEAL NO. 11A-UI-02084-M2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MAINSTREAM LIVING INC**  
Employer

**OC: 12/05/10**  
**Claimant: Appellant (1)**

Section 96.19-18a(6)e – Covered Employment

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated February 15, 2011, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on March 15, 2011. Employer participated by Marcanne Lynch, H. R. Director. Claimant failed to respond to the hearing notice and did not participate.

**ISSUE:**

The issue in this matter is whether wages paid by this employer were covered by the unemployment insurance system.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant was in a work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof while at Mainstream Living Inc.

**REASONING AND CONCLUSIONS OF LAW:**

Section 96.19-18a(6)e-f provides:

The term employment does not apply to service performed:

e) As part of an unemployment work relief or work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(f) In the employ of a governmental entity, if such service is performed by an individual in the exercise of the individual's duties as an elected official; as a member of a legislative body, or a member of the judiciary, of a state or political subdivision; as a member of the state national guard or air national guard; as an employee serving on a temporary basis

in case of fire, storm, snow, earthquake, flood, or similar emergency; or in a position which, pursuant to the state law, is designated as a major nontenured policymaking or advisory position, or a policymaking or advisory position which ordinarily does not require duties of more than eight hours per week.

Claimant was in a work training program assisted or financed in whole or in part by a federal agency and/or an agency of a state or political subdivision thereof while at Mainstream Living Inc. Any monies paid by or through Mainstream Living Inc thus were not covered wages for unemployment insurance purposes.

**DECISION:**

The decision of the representative dated February 15, 2011, reference 02, is affirmed. Unemployment insurance benefits shall be withheld.

---

Stan McElderry  
Administrative Law Judge

---

Decision Dated and Mailed

srm/css