

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMIE L DRILLING**

Claimant

**APPEAL NO: 11A-UI-14054-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CENTRAL IOWA HOSPITAL CORP**

Employer

**OC: 04/03/11**

**Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Able to and Available for Work/No Change in Employment

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's October 20, 2011 determination (reference 01) that held she was not eligible to receive benefits as of April 3, 2011, because she works for the employer in the same capacity as she had requested and could not be considered partially unemployed. The claimant participated in the hearing. Ashley Wirtjs, a human resource business partner, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not eligible to receive benefits as of April 3, 2011.

**ISSUE:**

When a claimant requests on-call, as-needed employment is she eligible to receive unemployment insurance benefits?

**FINDINGS OF FACT:**

The claimant started working for the employer as a part-time regular employee in November 2009. She worked as a patient care technician. The claimant started working part time when she went to school. In September 2010 when her classes became more demanding, the claimant requested a change in her employment status from part time to PRN or on-call, as-needed. The employer does not guarantee a minimum number of hours a PRN employee may work a week. The employer only requires a PRN employee to work a minimum of 16 hours a month. The employer granted the claimant's request to work PRN. After the claimant requested a change in her employment, the number of hours she worked varied a great deal. She worked only when the employer needed her and on an on-call basis.

The claim year established during the week of April 3, 2011, is primarily based on the wages the claimant earned from the employer in 2010.

**REASONING AND CONCLUSIONS OF LAW:**

When a claimant is still employed in a part-time job at the same hours and wages as contemplated when hired in that position and is not working a reduced workweek that is different

than what the parties agreed upon, the claimant cannot be considered partially unemployed and is not eligible to receive benefits. 871 IAC 24.23(26).

In this case, the claimant changed her employment status from a scheduled part-time employee to an on-call, as-needed or PRN employee in September 2010. For unemployment insurance purposes, the claimant's employment status has not changed after she requested to work as a PRN employee. Since the claimant's wage credits are almost all from the employer, the evidence does not establish that the claimant is partially unemployed since she requested and was granted on-call employment with no guarantee of hours. Even though the claimant is monetarily eligible to receive benefits, she is not partially unemployed. Therefore, she is not eligible to receive benefits as of April 3, 2011.

**DECISION:**

The representative's October 20, 2011 determination (reference 01) is affirmed. The claimant is not eligible to receive benefits as of April 3, 2011, because as an on-call, as-needed employee she is not partially employed since she continued to work the hours she agreed to work as a PRN employee.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs