

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BLEUBERRY MORNINGSNOW
Claimant

APPEAL NO. 14A-UI-07657-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

GRAND VIEW UNIVERSITY
Employer

OC: 06/22/14
Claimant: Appellant (1)

Iowa Code § 96.4(3) – Able and Available
871 IAC 24.23(26) – Availability

STATEMENT OF THE CASE:

Blueberry Morningsnow (claimant) appealed a representative's July 18, 2014 (reference 01) decision that concluded she was not eligible to receive unemployment insurance benefits because she is still employed in her job for the same hours and wages as she was hired by Grand View University (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for August 18, 2014. The claimant participated personally. The employer participated by Molly McDowell, Human Resources Administrator.

ISSUE:

The issue is whether the claimant is disqualified for being unavailable for work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on August 26, 2013 as a part-time adjunct instructor to teach in the fall semester of each academic year. The claimant is scheduled to teach again in the fall semester of 2014.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.23(26) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(26) Where a claimant is still employed in a part-time job at the same hours and wages as contemplated in the original contract for hire and is not working on a reduced workweek basis different from the contract for hire, such claimant cannot be considered partially unemployed.

The claimant was hired as a part-time worker and is still working part-time for the employer. She is still employed in a part-time position, as was agreed to at the time she was hired. The claimant is disqualified from receiving unemployment insurance benefits.

DECISION:

The representative's July 18, 2014 (reference 01) decision is affirmed. The claimant is disqualified from receiving unemployment insurance benefits.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/can