

ISSUE:

Is the claimant eligible to receive partial unemployment insurance benefits?

FINDINGS OF FACT:

The claimant started working for the employer on March 7, 2005. The claimant worked as a full-time customer service representative. The employer defines a full time employee as an employee who works 33 or more hours a week.

On July 24 and 25, the employer asked the claimant and other employees to leave work early. During the week of July 24, the claimant worked all scheduled hours. The claimant worked a total 28.5 hours this week because the employer's work was slow.

During the week of July 24, 2005, the claimant established a claim for unemployment insurance benefits. She filed a claim for partial benefits this week because she only earned gross wages of \$150.00. The claimant's maximum weekly benefits amount is \$259.00.

REASONING AND CONCLUSIONS OF LAW:

A claimant is considered partially unemployed in any week in which, while employed at her regular job, works less than the regular "full-time" week and earns less than the claimant's weekly benefit amount plus \$15.00. Iowa Code §96.19-38(b). Each week a claimant files a claim for benefits, she must be able to and available for work. Iowa Code §96.4-3.

The facts establish the claimant worked all the hours the employer could schedule her to work during the week of July 24, 2005. Since the claimant worked less than her "regular hours," she is eligible to receive partial benefits for this week.

DECISION:

The representative's August 29, 2005 decision (reference 03) is affirmed. The claimant is eligible to receive partial unemployment insurance benefits for the week of July 24, 2005. The claimant was able to and available for work this week. The employer's account will not be charged for benefits paid to the claimant this week.

dlw/kjf