

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CARRIE A ENGELKES
Claimant

APPEAL NO. 12A-UI-02556-S2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

CITY OF OKOBOJI
Employer

OC: 01/29/12
Claimant: Respondent (1)

Section 96.5-1-j – Separation from Temporary Employer

STATEMENT OF THE CASE:

City of Okoboji (employer) appealed a representative's March 9, 2012 decision (reference 01) that concluded Carrie Engelkes (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for March 29, 2012. The claimant participated personally. The employer participated by Dennis Daly, city clerk administrator.

ISSUE:

The issue is whether the claimant was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds that: The claimant was hired on June 22, 2011, as a part-time temporary administrative assistant. The claimant was hired knowing that her last day of work would be December 31, 2011. Sometime before December 31, 2011, the employer and claimant renegotiated the claimant's last day of work to be January 31, 2012. The claimant completed her contract on January 31, 2012.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant is eligible to receive unemployment insurance benefits.

871 IAC 24.26(22) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(22) The claimant was hired for a specific period of time and completed the contract of hire by working until this specific period of time had lapsed. However, this subrule shall

not apply to substitute school employees who are subject to the provisions of Iowa Code section 96.4(5) which denies benefits that are based on service in an educational institution when the individual declines or refuses to accept a new contract or reasonable assurance of continued employment status. Under this circumstance, the substitute school employees shall be considered to have voluntarily quit employment.

The claimant was hired on a temporary basis for assignment to a spot job or casual labor. The claimant completed her work assignment. Her separation was for no disqualifying reason.

DECISION:

The representative's March 9, 2012 decision (reference 01) is affirmed. The claimant was separated from the employer for good cause attributable to the employer. Benefits are allowed.

Beth A. Scheetz
Administrative Law Judge

Decision Dated and Mailed

bas/kjw