

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SAMANTHA K BEUKENHORST**  
Claimant

**APPEAL NO: 14A-UI-06022-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**THE HON COMPANY**  
Employer

**OC: 01/12/14  
Claimant: Appellant (2)**

Iowa Code § 96.19(38)b – Partially Unemployed

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's June 5, 2014 determination (reference 01) that held her ineligible to receive benefits as of May 4, 2014, because she was still working the same number of hours and wages that the employer hired her to work. The claimant participated at the July 3 hearing. Deniece Norman, an Employers Edge representative, represented the employer. Chelsea Miller testified 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 eligible to receive benefits for the week ending May 10, 2014.

**ISSUE:**

For the week ending May 10, 2014, is the claimant partially unemployed?

**FINDINGS OF FACT:**

The employer hired the claimant to work full time in October 1998. The claimant works an average of 40 hours a week.

During the week ending May 10, the claimant worked all hours the employer had available for her to work, 29.6 hours. The claimant earned \$412 this week.

The claimant filed a claim for the partial benefits for the week ending May 10, 2014. The claimant's maximum weekly benefit amount is \$424.

**REASONING AND CONCLUSIONS OF LAW:**

If the representative's determination relied on 871 IAC 24.23(26), this reliance is not correct because the claimant worked full time, not part time for the employer. The facts show the claimant worked less than full-time hours during the week of May 10, 2014, because of the employer's business needs. Based on Iowa Code § 96.19(38)b, the claimant is eligible to receive partial benefits for the week ending May 10, 2014. This law states a claimant is deemed partially unemployed in any week in which she works less than regular full-time hours and earns less than her maximum weekly benefit amount plus \$15.

Since the claimant worked less than 40 hours and earned gross wages of less than \$439, she is eligible to receive partial benefits for the week ending May 10, 2014.

**DECISION:**

The representative's June 5, 2014 determination (reference 01) is reversed. The claimant is eligible to receive partial benefits for the week ending May 10, 2014, because she worked a reduced workweek as a result of the employer's business needs and earned less than her maximum weekly benefit amount plus \$15.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

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