

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

THEODORE M FREDRICKSEN
Claimant

APPEAL NO. 11A-UI-14754-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DARLING INTERNATIONAL INC
Employer

OC: 10/16/11
Claimant: Appellant (2)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Theodore M. Fredricksen filed a timely appeal from an unemployment insurance decision dated November 4, 2011, reference 01, that disqualified him for benefits upon a finding that he had voluntarily left employment without good cause attributable to the employer on September 22, 2011. After due notice was issued, a telephone hearing was held December 29, 2011, with Mr. Fredricksen participating. General Manager Brad Frost participated for the employer, Darling International, Inc.

ISSUE:

Was the separation from employment a disqualifying event?

FINDINGS OF FACT:

Theodore M. Fredricksen was employed by Darling International, Inc. from December 10, 2001, until he was laid off September 20, 2011.

REASONING AND CONCLUSIONS OF LAW:

The employment security law disqualifies an individual for benefits if the individual leaves work voluntarily without good cause attributable to the employer or is discharged for misconduct in connection with the employment. See Iowa Code section 96.5-1 and 96.5-2-a, respectively. An individual is not disqualified if the individual has been laid off. The witnesses in this hearing both testified that Mr. Fredricksen was laid off. The employer witness stated further that the company did not contest unemployment insurance benefits for Mr. Fredricksen. No disqualification may be imposed.

DECISION:

The unemployment insurance decision dated November 4, 2011, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw