

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VALETTA M LENABURG**  
Claimant

**APPEAL NO. 11A-UI-06923-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**  
Employer

**OC: 11/14/10  
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit  
Section 96.4-3 – Able and Available

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated May 17, 2011, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 21, 2011. Claimant participated by and through her husband Dale Lenaburg. Employer participated by Courtney Frye, Staffing Consultant. Exhibit A was admitted into evidence.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer. The issue in this matter is whether claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on April 14, 2011. Claimant was laid off due to temporary slowdown. Claimant was off work through April 23, 2011. Claimant suffered an illness April 24 that took her completely off work. Claimant has not recovered to the point she can return to work.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because of a work slowdown. This is a separation for cause attributable to employer. Benefits allowed.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Claimant is able and available for work effective April 11, 2011. Claimant is not able and available for work effective April 24, 2011 due to non-work-related illness.

**DECISION:**

The decision of the representative dated May 17, 2011, reference 02, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible. Claimant is able and available for work effective April 11, 2011 through April 23, 2011. Claimant is not able and available for work effective April 24, 2011 until released by her doctor to return to work. Benefits withheld effective April 24, 2011.

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Marlon Mormann  
Administrative Law Judge

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Decision Dated and Mailed

mdm/pjs