

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DIXIE FOOTE
Claimant

LINK SNACKS INC
Employer

APPEAL 20A-UI-05589-J1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/03/20
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

On June 9, 2020, the claimant filed an appeal from the June 5, 2020, (reference 01) unemployment insurance decision that denied benefits based on a voluntary quit without good cause. The parties were properly notified about the hearing. A telephone hearing was held on July 8, 2020. Claimant participated. Employer participated through Teresa Ellerbroch, Human Resources Coordinator.

ISSUES:

Did claimant quit employment without good cause attributable to the employer?
Was claimant able and available for work?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer on February 18, 2019. Claimant last worked as a full-time production worker on April 23, 2020. Claimant was separated from employment on April 24, 2020, when she requested a leave of absence so that she could self-quarantine. The claimant had household members that have underlying health conditions. Claimant did not want to risk exposure to Covid-19 to herself and her household. The employer granted claimant a leave of absence effective April 24, 2020. Claimant was informed that her leave of absence was over as of July 6, 2020. Claimant returned to work with her employer on that date.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-24.23(10) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(10) The claimant requested and was granted a leave of absence, such period is deemed to be a period of voluntary unemployment and shall be considered ineligible for benefits for such period.

Claimant was on a temporary leave of absence with the permission of her employer. The claimant was not able and available for employment during the period of her leave of absence, April 24, 2020 through July 5, 2020. The claimant did not quit her employment.

DECISION:

Regular Unemployment Insurance Benefits Under State Law

The June 5, 2020, (reference 01) unemployment insurance decision is affirmed. Claimant is not eligible for regular unemployment benefits. Claimant was not able and available to work from April 24, 2020 through July 5, 2020.

Pandemic Unemployment Assistance (PUA) Under the Federal CARES Act

Even though claimant is not eligible for regular unemployment insurance benefits under state law, he may be eligible for federally funded unemployment insurance benefits under the CARES Act. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if he or she is eligible for such compensation for the week claimed. This decision does not address when claimant is eligible for PUA. For a decision on such eligibility, claimant must apply for PUA, as noted in the instructions provided in the "Note to Claimant" below.

NOTE TO CLAIMANT:

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** For more information about how to apply for PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-informatio>



James F. Elliott
Administrative Law Judge

July 16, 2020

Decision Dated and Mailed

je/sam