

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ANGIE MCNEIL
Claimant

APPEAL NO. 14A-UI-03697-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TRINITY REGIONAL MEDICAL CENTER
Employer

OC: 02/16/14
Claimant: Respondent (1)

871 IAC 24.1(113)a - Separation Due to Layoff

STATEMENT OF THE CASE:

Trinity Regional Medical Center (employer) appealed an unemployment insurance decision dated March 31, 2014, (reference 02), which held that Angie McNeil (claimant) was eligible for unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 28, 2014. The claimant participated in the hearing. The employer participated through Ted Vaughn, Human Resources Manager.

ISSUE:

The issue is whether the claimant was laid off work.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed from March 30, 1988, through February 21, 2014, and she most recently worked as a full-time nutritional services supervisor. In December 2013, the employer advised her and two other supervisors that it was restructuring the nutritional services department and their jobs were going to be eliminated as of February 24, 2014. They could apply for new supervisor jobs in the department but there would be a pay reduction. The claimant applied for one of the new jobs but was not selected. Her last physical day of employment was February 17, 2014, but she was paid for the entire week.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits. All terminations of employment are generally classified as layoffs, quits, discharges or other separations. 871 IAC 24.1(113)(a). A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer or an employer has discharged the claimant for work-connected misconduct. Iowa Code §§ 96.5-1 and 96.5-2-a.

The evidence establishes the claimant was laid off on February 21, 2014. When an employer initiates a separation, the reasons for the separation must constitute work-connected misconduct before a claimant can be denied unemployment insurance benefits. A layoff does not constitute work-connected misconduct. The claimant's separation from employment was not due to any misconduct on her part nor did she quit her job. The claimant is qualified to receive unemployment insurance benefits, provided she is otherwise eligible.

DECISION:

The unemployment insurance decision dated March 31, 2014, (reference 02), is affirmed. The claimant is qualified for unemployment insurance benefits, provided she is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs