

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KRISTIE L MCCLAREN**  
Claimant

**APPEAL NO. 17A-UI-07522-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**POLARIS INDUSTRIES INC**  
Employer

**OC: 12/25/16**  
**Claimant: Appellant (2)**

871 IAC 24.1(113)a – Separations From Employment  
Section 96.5-1 – Voluntary Leaving - Layoff

**STATEMENT OF THE CASE:**

Kristie McClaren (claimant) appealed a representative's July 21, 2017, decision (reference 03) that concluded she was not eligible to receive unemployment insurance benefits because she voluntarily quit work with Polaris Industries (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for August 11, 2017. The claimant participated personally. The employer participated by Andrea Issendorf, Human Resources Manager.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**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 hired on March 25, 2013, as a full-time assembler. The employer is planning to close the plant in November 2017. In preparation for the closure, the employer began permanently laying off employees. The employer laid the claimant off on June 29, 2017. There was not more work available for the claimant after June 29, 2017.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant was laid off due to a lack of work.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

Iowa Admin. Code r. 871-24.1(113)a provides:

Separations. All terminations of employment, generally classifiable as layoffs, quits, discharges, or other separations.

a. Layoffs. A layoff is a suspension from pay status (lasting or expected to last more than seven consecutive calendar days without pay) initiated by the employer without prejudice to the worker for such reasons as: lack of orders, model changeover, termination of seasonal or temporary employment, inventory-taking, introduction of laborsaving devices, plant breakdown, shortage of materials; including temporarily furloughed employees and employees placed on unpaid vacations.

The employer laid the claimant off for lack of work on June 29, 2017. When an employer suspends a claimant from work status, the separation does not prejudice the claimant. The claimant's separation was attributable to a lack of work by the employer. Benefits are allowed, provided the claimant is otherwise eligible.

**DECISION:**

The representative's July 21, 2017, decision (reference 03) is reversed. The claimant was laid off due to a lack of work. Benefits are allowed, provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/rvs