

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

MATTHEW D NOELTING
Claimant

APPEAL NO: 19A-UI-06661-JE-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

DEERE & COMPANY
Employer

OC: 03/31/19
Claimant: Appellant (2)

Section 96 5-1 – Voluntary Leaving – Layoff
Section 96.4-3 – Able and Available for Work

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the August 12, 2019, reference 01, decision that denied benefits. After due notice was issued, a hearing was held by telephone conference call before Administrative Law Judge Julie Elder on September 17, 2019. The claimant participated in the hearing. Janice Gordon, Human Resources Representative, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant was laid off.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was hired as a full-time shipping and receiving production support employee for Deere & Company September 13, 2010 and remains employed with this employer today. The claimant was laid off due to a lack of work August 5 through August 9, 2019. He returned to work August 12, 2019.

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.

The claimant was laid off from August 5 through August 9, 2019. Therefore, the separation was attributable to a lack of work by the employer. Therefore, benefits are allowed for the one week ending August 10, 2019.

DECISION:

The August 12, 2019, reference 01, decision is reversed. The claimant was laid off due to a lack of work. Benefits are allowed for the one week ending August 10, 2019, provided the claimant is otherwise eligible.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/scn