

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**JACK E HILDRETH**  
Claimant

**APPEAL NO. 18A-UI-07450-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DYNAMIC AUTO DETAILING LLC**  
Employer

**OC: 06/10/18**  
**Claimant: Appellant (2)**

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

**STATEMENT OF THE CASE:**

Jack Hildreth (claimant) appealed a representative's July 10, 2018, decision (reference 03) that concluded he was not eligible to receive unemployment insurance benefits because he voluntarily quit work with Dynamic Auto Detailing (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for July 31, 2018. The claimant participated personally. The employer participated by Mike Hall, Owner/President.

**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 April 15, 2014, as a full-time auto detail specialist. On April 18, 2018, the claimant started trucking school at Des Moines Area Community College. He was a full-time student and went to class from 5:00 p.m. to 9:00 p.m. Monday through Friday. The claimant requested and the employer agreed to change his status to part-time employee. He worked for the employer Monday through Friday, noon to 4:30 p.m.

On June 11, 2018, the employer told the claimant there was no further part-time work for him. The claimant filed for unemployment insurance benefits with an effective date of June 10, 2018. He received \$1,365.00 for the three week period ending June 30, 2018. The claimant was not interested in looking for or accepting full-time work until his schooling ended on July 16, 2018.

**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 11, 2018. 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. The claimant is eligible to receive unemployment insurance benefits, provided he is otherwise eligible.

**DECISION:**

The representative's July 10, 2018, 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