

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**EDWARD J WOMACK  
708 CENTRAL AVE E  
CLARION IA 50525**

**GRINNELL JANITORIAL  
SPECIALIST INC  
628 N 157<sup>TH</sup> CIR  
OMAHA NE 68118**

**Appeal Number: 06A-UI-01593-HT  
OC: 01/08/06 R: 01  
Claimant: Appellant (2)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Edward Womack, filed an appeal from a decision dated February 3, 2006, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on February 27, 2006. The claimant participated on his own behalf. The employer, Grinnell Janitorial, did not provide a telephone number where a representative could be contacted and did not participate.

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Edward Womack began employment with Grinnell

Janitorial on October 20, 2004. He is a full-time janitor working 9:00 p.m. until 5:00 p.m. at a rest stop.

On November 1, 2005, Supervisor Bill Carlton told him he was being laid off for the winter as of November 30, 2005. He would be on "call back" for the spring and summer season.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant is disqualified. The judge concludes he is not.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

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 record establishes the claimant was laid off for lack of work during the winter season. This is not a disqualifying separation and benefits are allowed.

**DECISION:**

The representative's decision of February 3, 2006, reference 01, is reversed. Edward Womack is qualified for benefits, provided he is otherwise eligible.

bgh/kjw