

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JAMES B RAMSEY**  
Claimant

**APPEAL NO. 13A-UI-08713-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEKSYSTEMS INC**  
Employer

**OC: 02/10/13**  
**Claimant: Respondent (2)**

871 IAC 24.23(10) – Short Term Layoff

**STATEMENT OF THE CASE:**

Teksystems, Inc. filed a timely appeal from a representative's decision dated July 18, 2013, reference 01, which held claimant eligible to receive unemployment insurance benefits beginning June 30, 2013 finding that the claimant is still employed but on a short-term layoff. After due notice was provided, a telephone hearing was held on September 16, 2013. Claimant participated. The employer participated by Mr. Grant Stokka, Recruiting Manager.

**ISSUE:**

The issue is whether the claimant was on a short-term layoff.

**FINDINGS OF FACT:**

James Ramsey began employment most recently with Teksystems, Inc. on April 17, 2013 and was employed until approximately August 2, 2013 on a temporary assignment by Computer Technology Support.

Mr. Ramsey requested to take personal time away from work between July 5, 2013 and approximately July 19, 2013 when he returned to work. Claimant took that time off to attend a family funeral. Work continued to be available in the claimant's normal job position during that period of time.

Later, Mr. Ramsey re-activated his claim by telephone effective June 30, 2013. Claimant, however, did not make a claim for unemployment insurance benefits during the period in question.

**REASONING AND CONCLUSIONS OF LAW:**

871 IAC 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 evidence in the record establishes that although Mr. Ramsey had re-activated his claim by telephone effective June 30, 2013, the claimant did not claim unemployment insurance benefits for the period that he took personal time away from work to attend a funeral between July 5, 2013 and July 19, 2013. Claimant was not on a short-term layoff during this period of time but had personally taken time away from work while work continued to be available to him. The claimant, however, did not claim unemployment insurance benefits for this period and is not eligible for benefits during the time in question.

**DECISION:**

The representative's decision dated July 18, 2013, reference 01, is reversed. Claimant was not on a short-term layoff beginning June 30, 2013 but had taken time away from work for personal reasons while work continued to be available to him. The claimant, however, had not made a claim for unemployment insurance benefits during those weeks.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

pjs/pjs