

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CURTIS G MOREE**

Claimant

**APPEAL NO. 09A-UI-02300-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SECURITAS SECURITY SERVICES**

**USA INC**

Employer

**OC: 11/30/08**

**Claimant: Respondent (1)**

Section 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

Securitas Security Services USA, Inc. (Securitas) filed an appeal from a representative's decision dated February 3, 2009, reference 01, which held that Curtis Moree satisfied the availability requirements of the law. After due notice was issued, a hearing was held by telephone on March 6, 2009. Mr. Moree participated personally. The employer participated by Jason Searles, Scheduling Manager, and John Timm, Human Resources Manager. The employer was represented by Kevin Rafferty of Talx Employer Services.

**ISSUE:**

At issue in this matter is whether Mr. Moree was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Moree began working for Securitas on March 20, 2006 as a full-time security officer. He was assigned to provide services at Eaton Corporation until November 28, 2008 when the client cancelled services. Mr. Moree worked December 2 and 3 filling in for another Securitas employee at Northern Natural Gas.

Mr. Moree was subsequently contacted by Securitas and offered a temporary assignment at the Energizer Battery factory in Maryville, Missouri. He agreed to work the three-day assignment and worked December 16, 17, and 18. He was told on December 19 that the assignment had been extended to at least January 9, 2009. Mr. Moree declined to continue the assignment because it was a 120-mile round trip from his home in Shenandoah, Iowa. He asked to be transferred back to the Omaha Securitas office for possible placement. Securitas has not offered him any further work since December 19. Mr. Moree remains available to accept full-time work.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Moree is unemployed because he was laid off due to a lack of work. He lost his full-time assignment on November 28, 2008 when Eaton Corporation cancelled security services with the employer. Although he has worked two short-term assignments, he has not been offered full-time work in the area where he lives. Mr. Moree was separated from employment for no disqualifying reason. He has remained available to work to the same extent as he did when he worked full time. As such, he is considered available for work within the meaning of Iowa Code section 96.4(3). Accordingly, benefits area allowed.

**DECISION:**

The representative's decision dated February 3, 2009, reference 01, is hereby affirmed. Mr. Moree was separated from employment due to lack of work but remains available to perform full-time work. Benefits are allowed, provided he satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/css