

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JUSTIN R GERBER
Claimant

APPEAL NO. 10A-UI-14114-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CLINTON STAFFING COMPANY
Employer

OC: 11/01/09
Claimant: Appellant (2)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Justin Gerber, filed an appeal from a decision dated October 8, 2010, reference 07. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 30, 2010. The claimant participated on his own behalf. The employer, Clinton Staffing, participated by Human Resources Manager Beth Dever.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Justin Gerber began employment with Clinton Staffing January 25, 2009. He remains an employee in good standing as of the date of the hearing. He filed an additional claim for unemployment benefits effective September 12, 2010, when his most recent assignment at Skyline Center had come to an end. He is currently assigned to another client company through Clinton Staffing.

REASONING AND CONCLUSIONS OF LAW:

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's employment with Clinton Staffing did not come to an end but that he was on a temporary layoff. Disqualification may not be imposed.

DECISION:

The representative's decision of October 8, 2010, reference 07, is reversed. Justin Gerber is qualified for benefits, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css