

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CARRIANNE AMLING**  
Claimant

**ROCKWELL COLLINS INC**  
Employer

**APPEAL 20A-UI-10034-S1-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/17/20**  
**Claimant: Appellant (1/R)**

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Iowa Code § 96.4-3 – Able and Available  
871 IAC 24.23(10) – Voluntary Leave of Absence

**STATEMENT OF THE CASE:**

Carrienne Amling (claimant) appealed a representative's August 18, 2020, decision (reference 02) that concluded ineligibility to receive unemployment insurance benefits as of May 17, 2020, because a leave of absence was granted by Rockwell Collins (employer) at the claimant's request. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for October 6, 2020. The claimant participated personally. The employer did not provide a telephone number where it could be reached and therefore, did not participate in the hearing.

The claimant offered and Exhibit A was received into evidence. The administrative law judge took official notice of the administrative file.

**ISSUE:**

The issue is whether the claimant is available for work and whether the claimant was on an approved leave of absence.

**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 September 19, 2019, as a full-time certified operator. On May 19, 2020, the employer placed the claimant on a leave of absence through June 9, 2020. Contact tracing identified the claimant and others as working with an employee who tested positive for Covid-19.

On June 9, 2020, the employer asked the claimant to return to work on June 10, 2020, for a meeting. On June 10, 2020, the employer terminated the claimant for an ethical violation in April 2020.

The claimant filed for unemployment insurance benefits with an effective date of May 17, 2020. Her weekly benefit amount was determined to be \$518.00. The claimant received benefits from May 17, 2020, to the week ending August 8, 2020, for a total of \$6,147.00 in state

unemployment insurance benefits after May 17, 2020. She also received \$6,000.00 in Federal Pandemic Unemployment Compensation for the ten-week period ending July 25, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-24.23(1) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

- (1) An individual who is ill and presently not able to perform work due to illness.

The claimant has the burden of proof in establishing ability and availability for work. *Davoren v. Iowa Employment Security Commission*, 277 N.W.2d 602 (Iowa 1979). When employees are unable to perform work due to a medical condition, they are considered to be unavailable for work. The claimant had been in contact with an employee who was diagnosed with Covid-19. To prevent the spread of a deadly virus, the employer removed and quarantined an employee from the workplace. She was not able and available for work during that period. The claimant is disqualified from receiving unemployment insurance benefits from May 17, 2020, through June 6, 2020.

Even though the claimant is not eligible for regular unemployment insurance benefits under state law, she may be eligible for federally funded unemployment insurance benefits under the Coronavirus Aid, Relief, and Economic Security Act (“Cares Act”), Public Law 116-136. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if he or she is eligible for such compensation for the week claimed. The claimant must apply for PUA, as noted in the instructions provided in the “Note to Claimant” below.

The issue of whether claimant has been overpaid unemployment insurance benefits and Federal Pandemic Unemployment Compensation from May 17, 2020, through June 6, 2020, is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and decision.

The issue of the claimant’s separation from employment is remanded for determination.

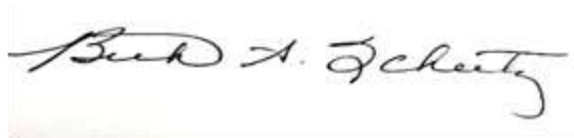
**DECISION:**

The representative’s August 18, 2020, decision (reference 02) is affirmed. The claimant is considered to be unavailable for work and is not eligible to receive unemployment insurance benefits from May 17, 2020, through June 6, 2020.

The issue of whether claimant has been overpaid unemployment insurance benefits and Federal Pandemic Unemployment Compensation from May 17, 2020, through June 6, 2020, is remanded to the Benefits Bureau of Iowa Workforce Development for an initial investigation and decision.

The issue of the claimant’s separation from employment is remanded for determination.

*Note to Claimant:* This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.



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Beth A. Scheetz  
Administrative Law Judge

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October 8, 2020  
Decision Dated and Mailed

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