

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

STACEY S REESE

Claimant

APPEAL 20A-UI-03862-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

JSR VENTURES LLC

Employer

OC: 03/29/20

Claimant: Appellant (2)

Iowa Code § 96.5-2-a – Discharge for Misconduct
Iowa Code § 96.5-1 - Voluntary Quit
Iowa Code § 96.5-1 – Voluntary Leaving - Layoff
871 IAC 24.1(113)a – Separations From Employment

STATEMENT OF THE CASE:

Stacey Reese (claimant) appealed a representative's May 6, 2020, decision (reference 01) that concluded ineligibility to receive unemployment insurance benefits due to voluntarily quitting with the JSR Ventures (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 27, 2020. The claimant and employer participated by Stacey Reese, Independent Insurance Adjustor. The administrative law judge took official notice of the administrative file.

ISSUE:

The issues include whether the claimant was separated from employment for any disqualifying reason.

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 August 1, 2019 as a full-time independent insurance adjustor. On March 29, 2020, the claimant was laid off for lack of work.

The claimant filed for unemployment insurance benefits with an effective date of March 29, 2020. Her weekly benefit amount was determined to be \$481.00. The claimant received benefits of \$481.00 per week from March 29, 2020, to the week ending May 2, 2020. This is a total of \$2,405.00 in state unemployment insurance benefits after the separation from employment. She also received \$3,000.00 in federal pandemic unemployment compensation.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant was laid off due to a lack of work.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

Iowa Admin. Code r. 871-24.1(113)a provides:

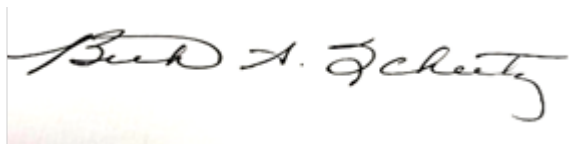
Separations. All terminations of employment, generally classifiable as layoffs, quits, discharges, or other separations.

a. Layoffs. A layoff is a suspension from pay status 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 employer laid the claimant off for lack of work as of March 29, 2020. When an employer suspends a claimant from work status the separation does not prejudice the claimant. The claimant's separation was attributable to a lack of work by the employer. Benefits are allowed, provided the claimant is otherwise eligible.

DECISION:

The representative's May 6, 2020, decision (reference 01) is reversed. The claimant was laid off due to a lack of work. Benefits are allowed, provided the claimant is otherwise eligible.



Beth A. Scheetz
Administrative Law Judge

May 29, 2020
Decision Dated and Mailed

bas/scn