

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PAMELLA A BOYD
Claimant

APPEAL NO. 12A-UI-14651-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WORKSOURCE INC
Employer

OC: 10/28/12
Claimant: Respondent (1)

Section 96.4(3) – Able and Available

STATEMENT OF THE CASE:

The employer, Worksource, filed an appeal from a decision dated November 30, 2012, reference 02. The decision allowed benefits to the claimant, Pamella Boyd. After due notice was issued, a hearing was held by telephone conference call on January 14, 2013. The claimant participated on her own behalf. The employer participated by Administrator Deanna Keehn.

ISSUE:

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

FINDINGS OF FACT:

Pamella Boyd began employment with Worksource on June 27, 2011. She worked at Siemens until October 26, 2012, when she was laid off due to the contract ending. Ms. Boyd contacted Worksource within three working days of the end of the assignment and has kept in contact with the agency. There are no restrictions on the number of hours she can work per day or the shift she can work, and the claimant has transportation to get to and from work.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.4-3 provides:

An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

3. The individual is able to work, is available for work, and is earnestly and actively seeking work. This subsection is waived if the individual is deemed partially unemployed, while employed at the individual's regular job, as defined in section 96.19, subsection 38, paragraph "b", unnumbered paragraph 1, or temporarily unemployed as defined in section 96.19, subsection 38, paragraph "c". The work search requirements of this subsection and the disqualification requirement for failure to apply for, or to accept

suitable work of section 96.5, subsection 3 are waived if the individual is not disqualified for benefits under section 96.5, subsection 1, paragraph "h".

The claimant is on short-term layoff because she is an employee of Worksource. Her assignment ended but not her employment with the temporary agency. She is able and available for work and eligible for unemployment benefits.

DECISION:

The representative's decision of November 30, 2012, reference 02, is affirmed. Pamela Boyd is able and available for work and eligible for unemployment benefits.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/tll