

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRAY A BLAKE

Claimant

APPEAL NO. 11A-UI-10173-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

STAFFING SERVICES INC

Employer

OC: 04/04/10

Claimant: Respondent (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Staffing Services, Inc. filed a timely appeal from an unemployment insurance decision dated July 25, 2011, reference 03, that allowed benefits to Bray A. Blake. After due notice was issued, a telephone hearing was held August 29, 2011, with Mr. Blake participating. The employer did not reply to the hearing notice.

ISSUE:

Did the claimant leave work with good cause attributable to the employer?

FINDINGS OF FACT:

Bray A. Blake was employed on assignment at Concrete Industries in Nebraska City, Nebraska, from late March 2011 until June 18, 2011. He could not return to work thereafter because of flooding that closed the bridge between Iowa and Nebraska. Mr. Blake has a commercial driver's license and is looking for work both locally and with other trucking companies.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant's separation from employment was a disqualifying event. It was not.

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 evidence in the record establishes that Mr. Blake's employment ended because of flooding along the Missouri River in June 2011 that prevented him traveling from his home in Sidney, Iowa, to his job in Nebraska City, Nebraska. This was a separation beyond the claimant's control. No disqualification may be imposed.

DECISION:

The unemployment insurance decision dated July 25, 2011, reference 03, is affirmed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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