

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KRYSTAL K SNODGRASS
Claimant

ADVANCE SERVICES INC
Employer

APPEAL NO: 12A-UI-00018-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/01/11
Claimant: Appellant (2)

871 IAC 24.1(113)a – Temporary Lay-off

STATEMENT OF THE CASE:

The claimant appealed a department decision dated December 21, 2011, reference 05, that held she voluntarily quit without good cause on November 18, 2011, and benefits are denied. A telephone hearing was held on January 30, 2012. The claimant participated. The employer did not participate. Claimant Exhibit A was received.

ISSUE:

The issue is whether the claimant was laid-off from work.

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record, finds: The claimant began working on assignment at Palmer Candy on September 13, 2011. She had numbness in her hands from work and saw a doctor who stated she was developing carpal tunnel syndrome. She asked the employer to move her to a new assignment and the employer agreed. She last worked at Palmer Candy on November 19.

She accepted a new assignment at Dean Foods beginning December 10, and continues to work on this assignment through the date of this hearing. She is reporting her wages when claiming for benefits each week.

The employer did not respond to the hearing notice.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 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 (lasting or expected to last more than seven consecutive calendar days without pay) 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 administrative law judge concludes that the claimant was temporarily laid-off for lack of work on November 19, 2011. The claimant was off work only for a few weeks, and accepted a new assignment she continues to work for employer. This employment separation is a move from one job assignment to another that is a temporary layoff not a voluntary quit from employment.

DECISION:

The department decision dated December 21, 2011, reference 05, is reversed. The claimant' was laid-off for lack of work on November 19, 2011. Benefits are allowed, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/css