

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CONNIE R LACOUR**  
Claimant

**APPEAL NO. 10A-UI-08411-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CHARLES INC**  
**CHARLES FURNITURE**  
Employer

**OC: 05-16-10**  
**Claimant: Respondent (1)**

Iowa Code § 96.5(1) – Voluntary Leaving - Layoff

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from the June 11, 2010, reference 01, decision that allowed benefits. After due notice was issued, a hearing was held on July 29, 2010. The claimant did not participate. The employer did participate through Al Stevens, Assistant Vice-President of Operations and Ron Fanning, Human Resources Representative.

**ISSUE:**

Was the claimant laid off due to lack of work?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a sales associate full time beginning June 16, 2008 through May 20, 2010 when she was laid off due to a lack of work when the employer closed the store.

**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 § 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.

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 employer closed the store, leaving the claimant with no additional work. Therefore, the separation was attributable to a lack of work by the employer. Benefits are allowed.

**DECISION:**

The June 11, 2010 (reference 01) decision is affirmed. The claimant was laid off due to a lack of work. Benefits are allowed, provided the claimant is otherwise eligible.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/pjs