

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**MADIA K FLOWERS**  
Claimant

**PARCO LTD**  
Employer

**APPEAL 20A-UI-08593-AD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/19/20**  
**Claimant: Appellant (1)**

Iowa Admin. Code r. 871-24.23(10) – Voluntary Leave of Absence

**STATEMENT OF THE CASE:**

On July 20, 2020, Madia Flowers (claimant/appellant) filed an appeal from the July 14, 2020 (reference 01) unemployment insurance decision that denied benefits as of April 19, 2020 based on a finding claimant requested and was granted a leave of absence and was therefore unavailable for work during that time.

A telephone hearing was held on September 1, 2020. The parties were properly notified of the hearing. The claimant participated personally. Parco LTD (employer/respondent) participated by HR Representative Juliet Diaz.

Claimant's Exhibit 1 was admitted. Official notice was taken of the administrative record.

**ISSUES:**

Is the claimant on an approved leave of absence?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

Claimant's first day of employment was May 22, 2018. Claimant is still employed by employer as a full-time shift manager. Claimant presented to employer a doctor's note dated March 26, 2020, which recommended claimant self-quarantine due to the pandemic and until it was safe for her to resume daily activities. Employer responded to the doctor's note by placing claimant on a leave of absence based on the doctor's note. Claimant returned to her normal position on June 22, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the July 14, 2020 (reference 01) unemployment insurance decision that denied benefits is **AFFIRMED**. Claimant requested and was granted a leave of absence and was therefore unavailable for work during the leave of absence. Benefits are denied during that time.

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".

Iowa Admin. Code r. 871-24.23(10) provides:

Availability disqualifications. The following are reasons for a claimant being disqualified for being unavailable for work.

(10) The claimant requested and was granted a leave of absence, such period is deemed to be a period of voluntary unemployment and shall be considered ineligible for benefits for such period.

Claimant presented to employer a doctor's note dated March 26, 2020, which recommended claimant self-quarantine due to the pandemic and until it was safe for her to resume daily activities. Employer responded to the doctor's note by placing claimant on a leave of absence based on the doctor's note. Claimant returned to her normal position on June 22, 2020.

Claimant's submission of the doctor's note to employer, which recommend claimant self-quarantine indefinitely, was essentially a request for a leave of absence. Employer granted that request by placing claimant on a leave of absence. Claimant was unavailable for work during the duration of the leave of absence. Claimant is therefore not eligible for benefits during this period.

While this decision denies regular, state benefits, the evidence indicates claimant may be eligible for federal Pandemic Unemployment Assistance (PUA). Further information on PUA, including how to apply, is set forth below.

**DECISION:**

The July 14, 2020 (reference 01) unemployment insurance decision that denied benefits is **AFFIRMED**. Claimant requested and was granted a leave of absence. Claimant does not meet the availability requirements to receive benefits during that time. Benefits are denied.



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Andrew B. Duffelmeyer  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

September 2, 2020  
Decision Dated and Mailed

abd/mh

***Note to Claimant:***

If you disagree with this decision, you may file an appeal with the Employment Appeal Board by following the instructions on the first page of this decision. If this decision denies benefits, you may be responsible for paying back benefits already received.

Individuals who are disqualified from or are otherwise ineligible for **regular** unemployment insurance benefits but who are unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.