

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JASON T REISDORF**  
Claimant

**APPEAL NO. 10A-UI-12424-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PROFESSIONAL BUILDING SERVICES**  
Employer

**OC: 08/01/10**  
**Claimant: Respondent (1)**

871 IAC 24.1(113)a – Separations From Employment  
Section 96.5-1 – Voluntary Leaving - Layoff

**STATEMENT OF THE CASE:**

Professional Building Services (employer) appealed a representative's September 2, 2010 decision (reference 03) that concluded Jason Reisdorf (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for October 19, 2010. The claimant participated personally. The employer participated by Kathy Witcher, Operations Manager.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on October 26, 2006, as a full-time janitor. Over time the claimant's hours were reduced to part-time hours. The employer laid the claimant off for lack of work on July 30, 2010.

The claimant was approved for Department Approved Training (DAT) on August 15, 2010. The claimant did not accept an offer of work with the employer because of his DAT status.

**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 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.

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 laid the claimant off for lack of work on July 30, 2010. When an employer suspends a claimant from work status for a period of time, the separation does not prejudice the claimant. The claimant's separation was attributable to a lack of work by the employer. The claimant is eligible to receive unemployment insurance benefits after July 30, 2010.

**DECISION:**

The representative's September 2, 2010 decision (reference 03) is affirmed. The claimant is eligible to receive unemployment insurance benefits after July 30, 2010.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/pjs