

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JUREE A CHRISTENSEN**  
Claimant

**APPEAL NO. 06A-UI-10649-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADVANCE SERVICES INC**  
Employer

**OC: 09/17/06 R: 03**  
**Claimant: Appellant (2)**

871 IAC 24.1(113) - Layoff

**STATEMENT OF THE CASE:**

Juree A Christensen (claimant) appealed a representative's October 26, 2006 decision (reference 02) that concluded she was not qualified to receive unemployment insurance benefits, and the account of Advance Services, Inc. (employer) would not be charged because the claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on November 14, 2006. The claimant participated in the hearing. The employer failed to respond to the hearing notice by contacting the Appeals Section prior to the hearing and providing the phone number at which the employer's witness/representative could be contacted to participate at the hearing. As a result, no one represented the employer. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit her employment for reasons that qualify her to receive unemployment insurance benefits, or did the employer discharge her for work-connected misconduct?

**FINDINGS OF FACT:**

The employer is a temporary employment firm. The claimant registered to work on behalf of the employer's clients on July 25, 2005. The employer assigned the claimant to a job at ASI. The claimant worked continuously for ASI until September 21, 2006. On September 21, ASI, told the claimant she was on a temporary layoff. The claimant established a claim for benefits during the week of September 17, 2006. ASI called the claimant back to work on October 26, 2006. The claimant started working again at ASI on October 29, 2006.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits her employment without good cause or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5-1, 2-a. 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. 871 IAC 24.1(113). The evidence presented during the hearing does not establish that the claimant voluntarily quit her employment. Instead, the employer's business client temporarily laid off the claimant. The claimant was on a temporary layoff from September 22 through October 26, 2006. During this time, the claimant was unemployed through no fault of her own. The claimant is qualified to receive unemployment insurance benefits as of September 17, 2006.

**DECISION:**

The representative's October 26, 2006 decision (reference 02) is reversed. The claimant did not quit and the employer did not discharge the claimant. Instead, the claimant was temporarily laid off from work, September 22 through October 26, 2006. As of September 17, 2006, the claimant is qualified to receive unemployment insurance benefits, provided she meets all other eligibility requirements. The employer's account may be charged for benefits paid to the claimant.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/cs