

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BESSIE M PAGE
Claimant

APPEAL NO. 07A-UI-08691-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BPOE
Employer

**OC: 08/12/07 R: 02
Claimant: Appellant (2)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Bessie Page, filed an appeal from a decision dated September 10, 2007, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on September 26, 2007. The claimant participated on her own behalf. The employer, BPOE, did not provide a telephone number where a representative could be contacted and did not participate.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Bessie Page was employed by BPOE from March 2006 until October 3, 2006, as a part-time general restaurant worker. The manager, Cathy Carmichael, contacted her on October 3, 2006, and said that she did not need to work her scheduled hours the next day as they were being given to another employee. Later that week Ms. Carmichael called her again and said there were no hours for her in the future.

REASONING AND CONCLUSIONS OF LAW:

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.

The claimant did not quit but was laid off for lack of work by the employer. This is not a disqualifying event.

DECISION:

The representative's decision of September 10, 2007, reference 01, is reversed. Bessie Page is qualified for benefits, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css