

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DUSTIN D PECINOVSKY**  
Claimant

**JASPERS RV CENTER**  
Employer

**APPEAL 15A-UI-11388-JP-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/26/15**  
**Claimant: Respondent (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting – Layoff Due to Lack of Work  
Iowa Admin. Code r. 871-24.1(113) – Definitions – Separations

**STATEMENT OF THE CASE:**

The employer filed an appeal from the October 9, 2015, (reference 02) unemployment insurance decision that allowed benefits. The parties were properly notified about the hearing. A telephone hearing was held on October 27, 2015. Claimant participated. Employer participated through office manager, John Jasper.

**ISSUE:**

Was the claimant laid off due to a lack of work?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed part-time as a seasonal cleaning/utility worker from May 4, 2015, and was separated from employment on September 17, 2015, when he was laid off due to a lack of work.

Claimant was hired on May 4, 2015 for a temporary seasonal part-time job. Claimant was aware that it was a seasonal part-time job. The season job ended on September 17, 2015 after claimant finished his work for the day. Claimant had no disciplinary issues during his employment.

**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. Benefits are allowed.

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.

Iowa Admin. Code r. 871-24.1(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 job claimant was hired for was a temporary, part-time, seasonal job. The work was finished on September 17, 2015. There was no further work for claimant after September 17, 2015. Therefore, the separation was attributable to a lack of work by the employer. Benefits are allowed.

**DECISION:**

The October 9, 2015, (reference 02) unemployment insurance 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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Jeremy Peterson  
Administrative Law Judge

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Decision Dated and Mailed

jp/pjs