

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROMA D RIES
Claimant

APPEAL NO. 08A-UI-06263-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE LARRABEE CENTER INC
Employer

OC: 05/25/08 R: 03
Claimant: Respondent (4)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The employer, Larrabee Center, filed an appeal from a decision dated July 3, 2008, reference 01. The decision allowed benefits to the claimant, Roma Ries. After due notice was issued a hearing was held by telephone conference call on July 22, 2008. The claimant participated on her own behalf. The employer participated by Administrative Services Director Bonnie Gesell and Vocational Program Director Linda Hughes.

ISSUE:

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

FINDINGS OF FACT:

Roma Ries began employed with Larrabee Center July 23, 2007, as a part-time store clerk in Parkersburg, Iowa. Her last day of work was May 24, 2008. A natural disaster destroyed the Larrabee Center store in Parkersburg, Iowa, where the claimant worked on May 25, 2008. She filed a claim for unemployment benefits with an effective date of May 25, 2008, and is currently on “temporary” status in order to maintain employment with the employer until a new store can be opened in Parkersburg.

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 is laid off due to the destruction of her workplace by a natural disaster. She is therefore involuntarily unemployed and eligible for unemployment benefits. However, because the destruction of the workplace was due to natural causes, the employer's account will not be charged.

DECISION:

The representative's decision of July 3, 2008, reference 01, is modified in favor of the appellant. Roma Ries is qualified for benefits, provided she is otherwise eligible. The account of Larrabee Center shall not be charged with benefits paid to the claimant.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs