

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**NEIL A SCHULDT**  
Claimant

**APPEAL NO. 14A-UI-01517-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**VALLEY PLUMBING INC  
RHINERS PLUMBING CO INC**  
Employer

**OC: 01/05/14  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated February 7, 2014, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on March 4, 2014. Claimant participated. Employer participated by Dan Geneser, Department Manager. Exhibit A was admitted into evidence.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on October 2, 2013. Claimant was a temporary worker putting in full-time hours. Employer sent claimant home for two days due to weather. Claimant told employer to call if they needed him. Employer does not call workers. Employer always tells workers to call and ask for work. Claimant stopped calling after the two-day layoff caused by weather.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because he stopped calling in. A two-day break in work due to weather is not a layoff. Claimant had a duty to keep trying for work until it was apparent that he was laid off. This is a quit for personal reasons. Benefits withheld.

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.

**DECISION:**

The decision of the representative dated February 7, 2014, reference 02, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Marlon Mormann  
Administrative Law Judge

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Decision Dated and Mailed

mdm/pjs