

#### FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Thomas began working through Manpower in January of 2005. On June 8, she was assigned to work full time for Molded Fiber. It was a long-term assignment. On June 13, Manpower was notified that Ms. Thomas had walked off the job on that date. On June 14, Ms. Thomas contacted Manpower and indicated she had walked off the job because her machine was broke down. Continued work would have been available if she had not walked off the job.

Ms. Thomas has received \$198.00 in job insurance benefits since filing her claim effective September 4, 2005.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Thomas was separated from employment for any disqualifying reason. She was hired for placement in temporary work assignments. An individual so employed must complete the last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19). Ms. Thomas did not complete her last assignment as she walked off the job before the assignment was completed. As such, her separation of June 13, 2005 is considered a voluntary quit.

An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Ms. Thomas walked off the job because her machine was broke down. She was not given permission to leave. Machinery will and does break down on occasion. This factor, standing alone, does not provide a basis for quitting the employment. There was no evidence that Ms. Thomas was frequently losing wages as a result of not being able to work due to machine malfunctions. The evidence failed to establish any good cause attributable to either Manpower or Molded Fiber for Ms. Thomas' quit. Accordingly, benefits are denied.

Ms. Thomas has received \$198.00 in job insurance benefits since filing her claim. Based on the decision herein, the benefits received now constitute an overpayment and must be repaid. Iowa Code section 96.3(7). An overpayment in the amount of \$198.00 has already been established based on a different issue.

#### DECISION:

The representative's decision dated October 5, 2005, reference 03, is hereby reversed. Ms. Thomas voluntarily quit her employment with Manpower on June 13, 2005 for no good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility. Ms. Thomas has been overpaid \$198.00 in job insurance benefits. However, an overpayment in this amount has already been established on a separate issue.

cfc/kjf/kjw