

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANGELA MCGEE**  
Claimant

**APPEAL NO. 08A-UI-04266-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING INC  
SEDONA STAFFING**  
Employer

**OC: 03/02/08 R: 03  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

Angela McGee (claimant) appealed a representative's April 30, 2008 decision (reference 02) that concluded she was not qualified to receive unemployment insurance benefits after a separation from employment from L A Leasing, Inc. / Sedona Staffing (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 14, 2008. The claimant participated in the hearing. Colleen McGuinty appeared on the employer's behalf and presented testimony from one other witness, Ashley Wills. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit for a good cause attributable to the employer?

**FINDINGS OF FACT:**

The employer is a temporary employment firm. The claimant's first and to date only assignment with the employer began on January 21, 2008. She worked full time as a customer service representative in for the employer's Coralville, Iowa, business client. Her last day on the assignment was March 2, 2008. The assignment ended because the claimant informed the employer she could no longer work the hours previously agreed to.

Originally the claimant had agreed to work 10:30 a.m. to 7:00 p.m., Monday through Friday. During a peak period beginning about February 1, the claimant agreed to switch to a 2:30 p.m. to 11:00 p.m. schedule, for which she would be paid a bonus. However, at the end of February the claimant informed the employer that her childcare provider was moving and so she could no longer work the 2:30 p.m. to 11:00 p.m. schedule. On February 29 she inquired about being moved to an 8:30 a.m. to 5:00 p.m. schedule, but the business client's needs would not allow this to occur. The business client was willing to allow the claimant to return to her prior 10:30 a.m. to 7:00 p.m. schedule, but the claimant indicate that also would not work for her any longer. She therefore advised the employer she could not continue in the assignment and that March 3 would be her last day on that assignment, even though continued work on her

previously agreed-to schedule remained available to her. She did advise the employer she would like to be considered for other assignments that would allow her to work a daytime schedule. March 2 became her last day of work as she called in sick on March 3.

**REASONING AND CONCLUSIONS OF LAW:**

If the claimant voluntarily quit her employment, she is not eligible for unemployment insurance benefits unless it was for good cause attributable to the employer. Iowa Code § 96.5-1.

Rule 871 IAC 24.25 provides that, in general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. A voluntary leaving of employment requires an intention to terminate the employment relationship and an action to carry out that intent. Bartelt v. Employment Appeal Board, 494 N.W.2d 684 (Iowa 1993); Wills v. Employment Appeal Board, 447 N.W.2d 137, 138 (Iowa 1989). Even though the claimant did not end her employment directly with the employer, she did not complete the term of the assignment with the business client by her own choice, not the choice of the business client; choosing not to complete a temporary assignment is a voluntary quit. 871 IAC 24.26(19), (22). The claimant did express or exhibit the intent to cease working for the employer's business client and did act to carry it out. The claimant would be disqualified for unemployment insurance benefits unless she voluntarily quit for good cause.

The claimant has the burden of proving that the voluntary quit was for a good cause that would not disqualify her. Iowa Code § 96.6-2. Quitting because of a loss of childcare or a newly arisen problem with the previously agreed-to work shift is not a good cause for quitting. 871 IAC 24.25(17), (18). The claimant has not satisfied her burden. Benefits are denied.

**DECISION:**

The representative's April 30, 2008 decision (reference 02) is affirmed. The claimant voluntarily left her employment without good cause attributable to the employer. As of March 3, 2008, benefits are withheld until such time as the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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