

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHANDRIA N DOWNING-SHAY
Claimant

APPEAL NO. 12A-UI-10130-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INTERNATIONAL INC
Employer

OC: 07/15/12
Claimant: Appellant (2)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed a timely appeal from a representative's decision dated August 15, 2012, reference 01, which denied unemployment insurance benefits. After due notice was provided, a telephone hearing was held on September 18, 2012. Although the claimant submitted a telephone number, she was not available at the telephone number provided and a message was left. The employer participated by Mr. John Rich, Staffing Specialist.

ISSUE:

The issue is whether the claimant left employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having considered all of the evidence in the record, the administrative law judge finds: The claimant began employment with Manpower International, Inc. on September 8, 2008. On May 31, 2012, Ms. Downing-Shay accepted a one-week assignment at the Whirlpool facility assigned to the Bradford Company drilling holes in metal racks.

Ms. Downing-Shay left the assignment at midday after she had temporarily left the building on an authorized break but was unable to re-access the building due to identification issues with the subcontractor that she was assigned to. Ms. Downing-Shay was also unable to continue working that day because necessary safety equipment in the form of working gloves were not available to her although she had requested them. The lack of the gloves was causing the claimant injuries to her hands and Ms. Downing-Shay followed the proper procedure by not only contacting the client employer about the matter but also by contacting Manpower International, Inc. as well. When the access and the safety equipment issues could not be resolved, the claimant left the assignment.

REASONING AND CONCLUSIONS OF LAW:

The question before the administrative law judge is whether the evidence in the record establishes the claimant left employment with good cause attributable to the employer. It does.

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.

In this matter the evidence in the record establishes that the claimant left her assignment on May 31, 2012 because she was denied access back into the work facility through no fault of her own and because the client employer did not respond to the claimant's reasonable request for working gloves that were necessary to protect the claimant while performing extensive drilling of metal racks.

There being no evidence to the contrary, the administrative law judge concludes that because her leaving was attributable to the employer has been shown benefits are allowed, providing the claimant is otherwise eligible.

DECISION:

The representative's decision dated August 15, 2012, reference 01, is reversed. Claimant left employment with good cause attributable to the employer. Unemployment insurance benefits are allowed, providing the claimant meets all other eligibility requirements of Iowa law.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs