

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AMADEO DELGADO**  
Claimant

**APPEAL NO. 13A-UI-00020-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AVENTURE STAFFING & PROFESSIONAL**  
Employer

**OC: 11/25/12**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from a representative's decision dated December 26, 2012, reference 01, which denied unemployment insurance benefits finding that the claimant voluntarily quit employment. After due notice was provided, a telephone hearing was held on February 5, 2013. The claimant participated personally. The employer participated by Ms. Kayla Neuhaufen, Human Resource Representative.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Amadeo Delgado began employment with Aventure Staffing on June 26, 2012. On June 28, 2012 Mr. Delgado was assigned to work as general laborer at Sadex Company and was paid by the hour. Mr. Delgado continued to work in a temporary position at the Sadex Company until August 27, 2012 when he called in to report that he would not be reporting for scheduled work due to a lack of childcare. Mr. Delgado did not contact Aventure Staffing the next working day to indicate his availability for resuming his work assignment at Sadex or any other employment available with the temporary employment service. Mr. Delgado did not contact Aventure Staffing until four days later on Friday, August 31, 2012. At that time the claimant did not check in with the temporary employer to establish his availability for additional assignments but instead told the temporary employment service that he was leaving town for an approximate two-week period.

At the time that the claimant accepted employment with Aventure Staffing he signed an agreement to contact the temporary employment service within three working days of the completion of each work assignment to establish his availability for additional work assignments. The claimant was informed that his failure to do so could affect his unemployment insurance benefits and would be considered to be a voluntary quit.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes that the claimant left employment with good cause attributable to the employer. It does not.

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 has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2. In this matter Mr. Delgado discontinued reporting for an available work assignment at the Sadex Company on August 27, 2012 when he called in to indicate that he did not have adequate childcare arrangements for the day. The claimant did not again re-contact Aventure Staffing until four days later at which time he indicated that he was not available for assignments as he was leaving town for two weeks. The evidence in the record establishes that the claimant left work for personal reasons, that are not attributable to the employer. Benefits are withheld.

**DECISION:**

The representative's decision dated December 26, 2012, reference 01, is affirmed. The claimant left work without good cause attributable to the employer. Benefits are withheld until the claimant has been employed in insured work, and has earned ten times his weekly benefit amount, and is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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