

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GARY P GROTH
Claimant

APPEAL NO: 06A-UI-09135-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INC OF D M
Employer

OC: 07/23/06 R: 01
Claimant: Respondent (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated September 1, 2006, reference 02, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on September 26, 2006. Claimant participated. Employer participated by Ellen McBride, Staffing Specialist.

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 July 3, 2006. Claimant was released from a temporary assignment after he was arrested at work. Claimant was left a message that his services were no longer needed by Manpower. The message was interpreted by claimant to mean that he had been released from his assignment and Manpower both. Employer did not call claimant again to offer any employment assistance.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because of the end of an assignment. Claimant had good reason to believe that Manpower did not want him to come back based on the message. There was no reason for claimant to report back to Manpower for further assignment. The employer did nothing to indicate that claimant was still eligible for their services after leaving a message. This is a separation for cause attributable to employer. Benefits allowed.

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 September 1, 2006, reference 02, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/cs