

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**EUGENIA DIMAS NAVA**  
Claimant

**APPEAL NO. 10A-UI-01263-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**  
Employer

**OC: 12/20/09**  
**Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Eugenia Nava filed an appeal from a representative's decision dated January 20, 2010, reference 02, which denied benefits based on her separation from Team Staffing Solutions, Inc. After due notice was issued, a hearing was held by telephone on March 8, 2010. The employer participated by Sarah Fiedler, Claims Administrator. Ms. Nava did not respond to the notice of hearing.

**ISSUE:**

At issue in this matter is whether Ms. Nava was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Nava began working for Team Staffing Solutions, Inc. on February 9, 2009 and was assigned to work full time at H J Heinz. She left the assignment on August 20, before it was completed. She indicated she had to go to Texas because of a family emergency. The nature of the emergency is unknown. On November 4, Ms. Nava notified Team Staffing Solutions, Inc. that she was again available for work.

**REASONING AND CONCLUSIONS OF LAW:**

Ms. Nava was hired for placement in temporary work assignments. An individual so employed must complete her last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19), (22). Ms. Nava did not complete her assignment with H J Heinz and, as such, her separation of August 20, 2009 is a voluntary quit. An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1).

The term "good cause attributable to the employer" generally refers to some matter over which the employer has control. Ms. Nava cited a family emergency out of state as the reason for leaving her assignment. She did not participate in the hearing to establish that her reason for

leaving constituted “compelling personal reasons” within the meaning of Iowa Code section 96.5(1)f. She had the initial burden of producing evidence showing that she was not disqualified under section 96.5(1)f. See Iowa Code section 96.6(2).

The evidence as a whole failed to establish any good cause attributable to the employer for Ms. Nava’s separation. Therefore, she is not eligible to receive job insurance benefits.

**DECISION:**

The representative’s decision dated January 20, 2010, reference 02, is hereby affirmed. Ms. Nava voluntarily quit her employment on August 20, 2009 for no good cause attributable to the employer. Benefits are denied until she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs