

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ALFRED L MERCER
Claimant

APPEAL NO. 07A-UI-10881-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST
Employer

**OC: 02/25/07 R: 01
Claimant: Respondent (4)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The employer, Labor Ready, filed an appeal from a decision dated November 15, 2007, reference 06. The decision allowed benefits to the claimant, Alfred Mercer. After due notice was issued, a hearing was held by telephone conference call on December 11, 2007. The claimant participated on his own behalf. The employer participated by Branch Manager Michael Schmith.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Alfred Mercer began working for Labor Ready on May 9, 2003. His last assignment ended October 29, 2007, and he contacted the employer on October 31, November 1 and 2, 2007, to indicate he was looking for another assignment.

On November 3, 2007, he notified Labor Ready he would be receiving disability payments and would no longer be seeking any work from the agency. Mr. Mercer filed an additional claim for unemployment benefits with an effective date of October 20, 2007 and filed for benefits through November 3, 2007, but has filed no weekly claim since that date.

REASONING AND CONCLUSIONS OF LAW:

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 quit without good cause attributable to the employer. He quit as he would be receiving his disability payments and did not intend to continuing signing up at Labor Ready.

DECISION:

The representative's decision of November 15, 2007, reference 06, is modified in favor of the appellant. Alfred Mercer is disqualified from receiving unemployment benefits effective November 4, 2007, until he has requalified by earning ten times his weekly benefit amount, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

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