

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

VERNON G HARKIN
Claimant

APPEAL NO. 10A-UI-12126-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST
Employer

OC: 07/05/09
Claimant: Respondent (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The employer, Labor Ready, filed an appeal from a decision dated August 16, 2010, reference 06. The decision allowed benefits to the claimant, Vernon Harking. After due notice was issued a hearing was held by telephone conference call on October 18, 2010. The claimant participated on his own behalf. The employer participated by Customer Service Representative Maureen Rogers.

ISSUE:

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

FINDINGS OF FACT:

Vernon Harkin began employment with Labor Ready on September 15, 2004. His last assignment ended January 7, 2010, and the employer still considers him to be an available employee as of the date of the hearing.

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 completed his last assignment and is still considered an active employee with Labor Ready although he has not been offered any assignments in recent months. He has not quit and disqualification may not be imposed.

DECISION:

The representative's decision of August 16, 2010, reference 06, is affirmed. Vernon Harkin is qualified for benefits, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs