

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TIFFANY J KROEGER
Claimant

APPEAL NO: 13A-UI-04806-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC
Employer

OC: 03/24/13
Claimant: Appellant (2)

Iowa Code § 96.5(2)a – Nondisqualifying Separation

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's April 17, 2013 determination (reference 03) that disqualified her from receiving benefits and held the employer's account exempt from charge because she had voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant participated in the hearing. The employer did not respond to the hearing notice or participate in the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes that this employment does not disqualify the claimant from receiving benefits.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits, or did the employer discharge her for reasons that constitute work-connected misconduct?

FINDINGS OF FACT:

The claimant registered to work for the employer's clients. The employer assigned the claimant to a one-day job at Coe College on May 5, 2012. The claimant completed the May 5, 2012 assignment and contacted the employer the next day for another assignment. The employer did not have another job to assign to the claimant.

The claimant established a claim for benefits during the week of March 24, 2013.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer, or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5(1), (2)a.

The evidence establishes the claimant worked for the employer at one assignment on May 5, 2012. The claimant completed the one-day assignment at Coe College. Even though the claimant contacted the employer the next day for another job assignment, the employer did not have another job for her. In this case, the claimant did not quit and the employer did not

discharge her for work-connected misconduct. She completed a one-day assignment and the employer did not have another job to assign to her. This employment separation does not disqualify the claimant from receiving benefits.

The maximum amount that can be charged to the employer's account during the claimant's current benefit year is \$15.10.

DECISION:

The representative's April 17, 2013 determination (reference 03) is reversed. The claimant did not quit and she was not discharged for work-connected misconduct. Instead, she finished a one-day assignment, asked for more work the next day and the employer did not have another job to assign to her. This May 5, 2012 employment separation does not disqualify the claimant from receiving benefits as of March 24, 2013. The employer's account is subject to charge.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs