

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HASAN BOSCO**

Claimant

**APPEAL NO. 13A-UI-09746-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**QPS EMPLOYMENT GROUP INC**

Employer

**OC: 07/07/13**

**Claimant: Appellant (1)**

Section 96.5-1-j – Separation from Temporary Employer

**STATEMENT OF THE CASE:**

Hasan Bosco (claimant) appealed a representative's August 14, 2013 decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits due to his separation from work with QPS Employment Group (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for September 27, 2013. The claimant did not provide a telephone number for the hearing and, therefore, did not participate. The employer participated by Rhonda Hefter, Human Resource Supervisor, and Elaine Pruett, Placement Coordinator.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The employer is a temporary employment service. The claimant performed services from March 19, 2013, through April 18, 2013. The claimant requested and was granted days off on April 19 and 20, 2013. The claimant did not return to work on April 22 and 23, 2013. The client company notified the employer the claimant did not appear for work or notify them of his absences. The employer called the claimant on April 23, 2013, and informed him that he must notify the employer if he were going to be absent. The claimant promised the employer he would give notice of absences. The employer told the claimant it was his last chance. The claimant did not appear for work or notify the employer of his absences on April 24, 25, and 26, 2013. On April 29, 2013, the client company notified the employer of the claimant's absences. The employer called the claimant's telephone number but the claimant's number was disconnected. The employer assumed the claimant quit work. Continued work was available had the claimant not resigned.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

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.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. Local Lodge #1426 v. Wilson Trailer, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by the claimant's actions. The claimant stopped appearing for work and answering the telephone. There was no evidence presented at the hearing of good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's August 14, 2013, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount, provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs