

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JIMMIE L CROOKS
Claimant

PEOPLEREADY INC
Employer

APPEAL 17A-UI-13260-SC-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 11/26/17
Claimant: Appellant (4)

Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.5(1)g – Voluntary Leaving/Requalification

STATEMENT OF THE CASE:

Jimmie L. Crooks (claimant) filed an appeal from the December 18, 2017, reference 01, unemployment insurance decision that denied benefits based upon the determination he voluntarily quit work with Peopleready, Inc. (employer) without good cause attributable to the employer. The parties were properly notified about the hearing. A telephone hearing was held on January 18, 2018. The claimant participated. The employer participated through Customer Service Representative Darla Fowlkes. The claimant submitted a pay stub from another employer but did not submit it to the other side. The document was not allowed into the record, although he was allowed to testify about the same. No other exhibits were offered into the record.

ISSUE:

Did the claimant voluntarily quit the employment with good cause attributable to the employer?

Has the claimant requalified for benefits since the separation from this employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed in a temporary full-time position as a Laborer beginning on November 10, 2016. He was most recently assigned to Blackhawk Roofing and his last day worked was May 15, 2017. Due to a dispute with his significant other, the claimant became homeless and was unable to contact the employer.

The claimant filed his claim for benefits effective November 26, 2017, and his weekly benefit amount is \$393.00. The administrative record and claimant's testimony establish that he has earned ten times his weekly benefit amount after the separation from the employer.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left the employment without good cause attributable to the employer but has since requalified for benefits.

Iowa Code section 96.5(1)g 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. But the individual shall not be disqualified if the department finds that:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2).

The claimant's separation is disqualifying. However, the claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer (account number 587246) shall not be charged.

DECISION:

The December 18, 2017, reference 01, unemployment insurance decision is modified in favor of the appellant. The claimant quit without good cause attributable to the employer, but has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer shall not be charged.

Stephanie R. Callahan
Administrative Law Judge

Decision Dated and Mailed

src/scn