

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**AMY M WOLTER**  
Claimant

**EXPRESS SERVICES INC**  
Employer

**APPEAL NO. 14A-UI-06651-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/09/13**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated June 19, 2014, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on July 18, 2014. Claimant participated. Employer participated by Shea Ricketts, Staffing Consultant.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on May 16, 2014. Claimant worked full time clerical at a temporary assignment. Claimant was told that she had to work through Express Services for three months before they could hire her on. The client was told by the employer's trainer that she had to interview for the permanent position. Employer told claimant that they really did not want a permanent employee from Express. Continued work was available if claimant had not quit.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she was not going to get hired on permanently. While claimant had a good reason to be upset, it is not good cause to leave an ongoing temporary position. Claimant should have worked a couple more weeks while searching for other work. Instead claimant quit without notice. This is a personal reason for a quit. Benefits withheld.

Iowa Code § 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.

Iowa Admin. Code r. 871-24.25(27) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code § 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code § 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(27) The claimant left rather than perform the assigned work as instructed.

**DECISION:**

The decision of the representative dated June 19, 2014, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Marlon Mormann  
Administrative Law Judge

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Decision Dated and Mailed

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