

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LORI L TROXEL
Claimant

APPEAL NO. 09A-UI-09773-E2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**R J PERSONNEL INC
TEMP ASSOCIATES**
Employer

**Original Claim: 05/31/09
Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The employer filed an appeal from a representative's decision dated July 1, 2009, reference 02, which held the claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on July 23, 2009. The claimant participated. The employer participated by Holly Jacobi.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds: The claimant was hired by the employer to work at Monsanto in Muscatine Iowa. The employer is a staffing agency. The claimant started work on November 24, 2008. Monsanto decided to use a different staffing agency to staff its plant and hire the Zachry agency to replace the employer, R J Personnel. The employer did not have any work available for the claimant when they lost the Monsanto account. The claimant continued to work at Monsanto and on April 27, 2009 the claimant started working for Zachry at the Monsanto plant. The claimant was laid off due to lack of work June 1, 2009.

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 employer lost the account with Monsanto and had no more work for the claimant. The claimant went to a position with a different staffing agency and worked for approximately a

month before she was laid off. The employer had no more work for the claimant and she was laid off. She is eligible for unemployment.

DECISION:

The representative's decision dated July 1, 2009, reference 02, is affirmed. Unemployment insurance benefits are allowed, provided the claimant is otherwise eligible.

James Elliott
Administrative Law Judge

Decision Dated and Mailed

jfe/kjw