

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BARBARA J FRONDLE**

Claimant

**APPEAL NO. 10A-UI-06935-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**

Employer

**Original Claim: 03/28/10**

**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated April 28, 2010, reference 01, that concluded she had voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on June 29, 2010. The parties were properly notified about the hearing. The claimant participated in the hearing. Sadie Garland participated in the hearing on behalf of the employer. Exhibit A was admitted into evidence at the hearing.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. The claimant started working for the employer in July 2006. Her last assignment was working at Worley Warehouse from August 30 to September 28, 2009.

On September 29, the claimant called the employer and stated she would need to be off work for the next five days due to dental surgery. She said she would call when she was available again. The next time the claimant called was on October 22, 2009, when she informed a staffing consultant that she had found a permanent job and was not available for work. At some point, the claimant took a temporary job with Labor Finders staffing company, and in December she worked as a bell ringer for the Salvation Army.

The claimant filed a new claim for unemployment insurance benefits effective March 28, 2010. She contacted the employer for the first time on April 20, 2010, about returning to work, but she was not rehired due to her absenteeism.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

The findings of fact show how I resolved the disputed factual issues in this case by carefully assessing the credibility of the witnesses and the reliability of the evidence and by applying the proper standard and burden of proof. Sadie Garland's testimony that the claimant called on October 22, 2009, and informed Garland that she was not available for work because she had found a permanent job is very credible. The claimant had trouble remembering that she had worked for another staffing company after her employment with the employer. This undercuts the reliability of her testimony. The evidence establishes the claimant left work by not returning to work after she was able to work again. She quit without good cause attributable to the employer.

**DECISION:**

The unemployment insurance decision dated April 28, 2010, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/kjw