

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT A COLE**

Claimant

**APPEAL NO. 10A-UI-02138-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LABOR READY MIDWEST INC**

Employer

**OC: 11/22/09**

**Claimant: Appellant (4)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated February 3, 2010, reference 03, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on March 26, 2010. The parties were properly notified about the hearing. The claimant participated in the hearing. Jessica Spinello participated in the hearing on behalf of the employer.

**ISSUES:**

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

Has the claimant requalified for unemployment insurance benefits based on later employment?

**FINDINGS OF FACT:**

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. The claimant has worked occasionally for the employer since June 19, 2007. The last time he worked for the employer was on September 3, 2009, on an assignment at Croell Concrete. He was scheduled to work on September 4 but called in and stated that he would not be at work due to a family emergency. He never contacted the employer again.

After September 4, 2009, the claimant worked for Remedy Intelligent Staffing until November 19, 2009, when he was laid off. The claimant was paid wages of over \$2,790.00 after September 4, 2009.

The claimant filed a new claim for unemployment insurance benefits with an effective date of November 22, 2009. His weekly benefit amount was determined to be \$279.00.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer until they have been paid wages for insured work equal to ten times their weekly benefit amount. Iowa Code § 96.5-1.

The claimant voluntarily quit employment without good cause attributable to the employer. The employer's account shall not be charged for benefits paid to the claimant.

The claimant is qualified to receive unemployment benefits effective November 22, 2009, because he earned enough wages through his employment with Remedy Intelligent Staffing to qualify for unemployment insurance benefits.

**DECISION:**

The unemployment insurance decision dated February 3, 2010, reference 03, is modified in favor of the claimant. The claimant voluntarily quit employment without good cause attributable to the employer, but he has requalified effective November 22, 2009, because he earned enough wages through his employment with Remedy Intelligent Staffing to qualify for unemployment insurance benefits.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

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