

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHAWNA M SOLLENBERGER
Claimant

APPEAL NO. 10A-UI-04423-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS
Employer

OC: 02/14/10
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Shawna Sollenberger, filed an appeal from a decision dated March 16, 2010, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 6, 2010. The claimant participated on her own behalf. The employer, Team Staffing Solutions, participated by Claims Administrator Sarah Fiedler.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Shawna Sollenberger was employed by Team Staffing from October 26, 2009 until February 1, 2010. Her last assignment was at Alaniz to begin January 25, 2010. Ms. Sollenberger called in absent that first day but the client allowed her to start the next day. She worked January 26 and 27, 2010, and called in absent on January 28, 2010, due to child care problems. She worked Friday, January 29, 2010.

On Monday, February 1, 2010, she called the employer's Mt. Pleasant office and said she would be late because she had a job interview. She called again later to say she would not be in at all. The general manager said her assignment was ended because the client company would not accept her back because she had missed so many days in such a short period of time. Ms. Sollenberger said she wanted to look for work on her own and quit. She did not report back to Team Staffing to request any more assignments after that.

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.

871 IAC 24.25(3) 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 section 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 section 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:

(3) The claimant left to seek other employment but did not secure employment.

The claimant quit to look for work on her own. She was not happy with the temporary nature of the assignments. But at the time she began working for Team Staffing, she knew these would be short-term assignments and there was no change in the contract of hire. Her decision to look for permanent work on her own does not constitute good cause attributable to the employer and the claimant is disqualified.

DECISION:

The representative's decision of March 16, 2010, reference 01, is affirmed. Shawna Sollenberger is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs