

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GWENDOLYN S MURRAY**

Claimant

**APPEAL NO: 09A-UI-10871-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING**

Employer

**OC: 06/14/09**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(4) – Absent Without Notice

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated July 24, 2009, reference 01, that held she voluntarily quit without good cause attributable to her employer on May 27, 2009, and benefits are denied. A telephone hearing was held on August 13, 2009. The claimant did not participate. Jill Smith, Staffing Consultant, participated for the employer.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witness, and having considered the evidence in the record, finds: The claimant worked for the employer, a temporary employment firm, beginning November 16, 2007. The claimant worked a series of assignments up to accepting a long term one with Werle Warehousing where she worked one day on May 28, 2009. The claimant failed to report for continuing employment on assignment, and she did not notify the employer about her work status for more than three days that is considered job abandonment.

The claimant failed to respond to the hearing notice.

**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(4) 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:

(4) The claimant was absent for three days without giving notice to employer in violation of company rule.

The administrative law judge concludes the claimant voluntarily quit without good cause attributable to her employer due to job abandonment

The claimant worked a pattern of employment involving a series of assignments, so she understood what she was required to do regarding notice to the employer of her work status. The claimant's failure to complete her most recent assignment and notify the employer is job abandonment that is considered a voluntary leaving of employment.

**DECISION:**

The department decision dated July 24, 2009, reference 01, is affirmed. The claimant voluntarily quit without good cause due to job abandonment on May 28, 2009. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

---

Randy L. Stephenson  
Administrative Law Judge

---

Decision Dated and Mailed

rls/pjs