

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GARY EVANS**

Claimant

**APPEAL NO: 19A-UI-06189-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MANPOWER INC OF D M**

Employer

**OC: 06/23/19**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the July 29, 2019, reference 07, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on August 27, 2019. The claimant participated in the hearing. Alyssa Bainbridge, Placement Assistant and Tom Kuiper, Employer Representative, participated in the hearing on behalf of the employer.

**ISSUE:**

The issue is whether the claimant voluntarily left his employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time baster operator/painter for Manpower last assigned at The Chantland Company from June 3, 2019 to June 3, 2019. He voluntarily left his employment by abandoning his job. The claimant was expected to meet a talent coordinator to pick up his personal protective equipment June 2, 2019, but called and told her he could not make it. He failed to call the employer or show up for his assignment June 3, 2019. The client called the employer who in turn called the claimant and left a message. The claimant called back and stated his brother left him out of town so he was unable to make it back in time for the scheduled start of his shift. The client ended his assignment for the no-call/no-show and the claimant is not eligible for further work with Manpower.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment without good cause attributable to the employer.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2.

The claimant initially testified he was absent due to a death in his family but when questioned further he stated he went to visit his great-uncle and did not have a death in his family. He denies receiving the employer's voice mail June 3, 2019, and said he returned home June 5, 2019. The claimant's testimony is not credible. He was expected to start a new temp-to-hire assignment June 3, 2019, and failed to call or notify the employer he would not be there June 3, June 4 or June 5, 2019, and the employer reasonably determined he voluntarily quit his job by failing to call or show up for work for three consecutive workdays.

**DECISION:**

The July 29, 2019, reference 07, decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/scn