

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JENNIFER E DANIELSON
Claimant

APPEAL NO. 11A-UI-07254-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEMP ASSOCIATES
Employer

OC: 07/11/10
Claimant: Appellant (1)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Jennifer Danielson filed an appeal from a representative's decision dated May 26, 2011, reference 04, which denied benefits based on her separation from Temp Associates. After due notice was issued, a hearing was held by telephone on June 28, 2011. Ms. Danielson participated personally. The employer participated by Jennifer Starr, Account Manager.

ISSUE:

At issue in this matter is whether Ms. Danielson was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Danielson began working through Temp Associates, a temporary placement firm, on March 23, 2011. Her one assignment was with West Liberty Foods and ended on April 29. She was released from the assignment because of her attendance. She missed work on April 26 and 27 because her father was having surgery. She called on May 3 to report that she would be absent due to a sick child.

On May 3, Temp Associates left a voice message for Ms. Danielson advising that she was not to return to West Liberty Foods. She was asked to call Temp Associates to verify receipt of the message. She did not return the call but did notify the receptionist on May 5 that she was quitting to go back to school and because she needed a job with benefits. She has not been offered further assignments.

REASONING AND CONCLUSIONS OF LAW:

Although Ms. Danielson performed services at West Liberty Foods, she was employed by Temp Associates. She was not working a spot job or casual labor as contemplated by 871 IAC 24.26(19). She was on a full-time assignment. Although she was released from her assignment, she was not discharged by Temp Associates. It was Ms. Danielson's decision not to accept further assignments. As such, her separation was a voluntary quit.

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code § 96.5(1). Ms. Danielson quit working for Temp Associates because she wanted a job that provided fringe benefits. There was no evidence that Temp Associates promised any benefits that were not provided. Therefore, there was no misrepresentation with respect to the job. The evidence wholly failed to establish that the quit was for good cause attributable to Temp Associates. Accordingly, benefits are denied.

DECISION:

The representative's decision dated May 26, 2011, reference 04, is hereby affirmed. Ms. Danielson quit her employment with Temp Associates without good cause attributable to the employer. Benefits are denied until she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs