

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TIMOTHY M EVANS**  
Claimant

**APPEAL NO. 09A-UI-19093-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**USA STAFFING INC**  
**LABOR WORLD IA**  
Employer

**OC: 09/06/09**  
**Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated December 16, 2009, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on February 3, 2010. Claimant participated. Employer failed to respond to the hearing notice and did not participate. Exhibits A and B were admitted into evidence.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on January 22, 2009. Claimant worked a temporary full-time job with employer. Claimant was laid off due to lack of work. Claimant reported in to ask for work for about three weeks but no work was available. Claimant then stopped reporting in because it was too expensive to report to work every day when no work was available.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because the assignment had ended. This is a quit for cause attributable to employer. Benefits allowed.

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.

**DECISION:**

The decision of the representative dated December 16, 2009, reference 02, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

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Marlon Mormann  
Administrative Law Judge

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Decision Dated and Mailed

mdm/css