

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEVAN L FIELDS**

Claimant

**APPEAL NO. 10A-UI-00496-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MANPOWER INTERNATIONAL INC**

Employer

**Original Claim: 12/06/09**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant filed an appeal from a representative's decision dated January 5, 2010, reference 01, which held the claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on February 18, 2010. The employer participated by Lori Sander, staffing specialist. The claimant failed to respond to the hearing notice and did not participate. The record consists of the testimony of Lori Sander.

**ISSUE:**

Whether the claimant voluntarily left for good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witness and having considered all of the evidence in the record, makes the following findings of fact:

The claimant is a temporary employment agency located in Burlington, Iowa. The claimant applied for temporary work assignments on June 29, 2009. On July 6, 2009, he was given an assignment at Winegard. The claimant worked at Winegard until October 19, 2009. On October 19, 2009, he clocked out around 12:40 p.m. He was scheduled to work from 6:00 a.m. to 4:00 p.m. The claimant then called the employer and spoke to Lori Sander. He told Ms. Sander that he had to quit his assignment and that he was not interested in any further assignments from the employer.

**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.

A quit is a separation initiated by the employee. 871 IAC 24.1(113)(b). In general, a voluntary quit requires evidence of an intention to sever the employment relationship and an overt act carrying out that intention. See Local Lodge #1426 v. Wilson Trailer, 289 N.W.2d 698, 612 (Iowa 1980) and Peck v. EAB, 492 N.W.2d 438 (Iowa App. 1992). 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. See 871 IAC 24.25.

The evidence is uncontroverted that it was the claimant who initiated the separation of employment. On October 19, 2009, the claimant left his temporary assignment in the middle of the day and informed the employer that he was not interested in any further temporary assignments. The claimant intended to sever the employment relationship and his statements and actions on October 19, 2009, make clear his intention. The claimant did not testify at the hearing and his reasons for quitting are unknown. Benefits are denied.

**DECISION:**

The representative's decision dated January 5, 2010, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until the claimant 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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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/kjw