

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JEFFERY D CHAPMAN**  
Claimant

**APPEAL NO: 13A-UI-13121-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**  
Employer

**OC: 07/07/13**  
**Claimant: Appellant (2)**

Iowa Code § 96.5(1) – Voluntary Quit  
871 IAC 24.27 – Voluntary Quit Part Time Employment

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's November 21, 2013 determination (reference 07) that disqualified him from receiving benefits and held the employer's account exempt from charge because he had been discharged for disqualifying reasons. The claimant participated at the November 17 hearing. Sarah Fiedler, a human resource generalist, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is eligible to receive benefits because he voluntarily quit a part time job.

**ISSUE:**

Did the claimant voluntarily quit this employment for reasons that qualify him to receive benefits, or did the employer discharge him for work-connected misconduct?

**FINDINGS OF FACT:**

The claimant started working for the employer's client, Riverside Casino, on September 18, 2013. The claimant worked part time, 20 to 30 hours a week, as a laundry employee. The claimant had problems getting to work on time. He had been riding to work with another employee, but he was required to report to work at 8 a.m. and the person he rode to work with was not required to be at work until 8:30 a.m. This arrangement left the claimant reporting to work late. Once the claimant took a cab to work, but did not do it again because it cost the claimant too much to take a cab to work. The claimant has a car. He he is not supposed to drive it, but sometimes did to get to work. In mid-October, Riverside Casino gave the claimant a verbal warning for reporting to work late.

The last day the claimant worked was October 26. After work on October 26, the claimant's car was impounded. He did not call or report to work on October 27. On October 28, the claimant called the employer to report that his car was impounded and he did not know if or when he would be able to get his car back. The claimant had a friend return his uniform to Riverside Casino on October 30, 2013. The claimant did not go back to work at Riverside Casino.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer, or an employer discharges the claimant for reasons constituting work-connected misconduct. Iowa Code §§ 96.5(1), (2)a. The facts do not establish that the employer discharged the claimant. Instead, the claimant quit this employment by failing to report to work after October 26, 2013. The claimant had compelling reasons for quitting. – he did not have reliable transportation to get to work on time. This reason, while compelling, does establish good cause for quitting. If this had been a full time job, the claimant would not be qualified to receive benefits. 871 IAC 24.25(1).

Iowa Code § 96.5(1)j does not apply to this case because the claimant did not complete the job assignment.

The record indicates the claimant established a claim for benefits during the week of July 7, 2013. Since the claimant did not start this part-time job until September 18, 2013, the employer is not one of the claimant's base period employers. This means that the claimant is monetarily eligible to receive benefits based on wages he has earned from other employers in his base period. 871 IAC 24.27 allows a claimant to receive benefits if he quits a part-time job and is monetarily eligible to receive benefits from other employers in his base period. This means, the claimant is eligible to receive benefits as of October 27, 2013. The wage credits the claimant earned from the employer cannot be used to determine his monetary eligibility until he earns ten times his weekly benefit amount from another employer.

**DECISION:**

The representative's November 21, 2013 determination (reference 07) is reversed. The employer did not discharge the claimant. Instead, the claimant voluntarily quit this part-time employment for reasons that do not qualify him to receive benefits. Since the employer is not one of the claimant's base period employers, the claimant is eligible to receive benefits as of October 27, 2013, provided he meets all other eligibility requirements. The employer's account will not be charged.

Wage credits the claimant earned from the employer cannot be used to determine his monetary eligibility until he earns ten times his weekly benefit amount from another employer.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs