

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

NICOLE M RITTGERS
Claimant

APPEAL NO. 07A-UI-08866-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

USA STAFFING INC
LABOR WORLD OF IOWA
Employer

OC: 08/05/07 R: 02
Claimant: Respondent (2)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Nicole M. Rittgers filed a timely appeal from an unemployment insurance decision dated September 10, 2007, reference 01, that disqualified her for benefits. Before a hearing could be scheduled in the matter, however, the Agency granted the relief requested by the claimant. It issued a second fact-finding decision holding that the claimant's separation from employment was not a disqualifying event.

ISSUE:

Did the claimant voluntarily leave work without good cause attributable to the employer?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: In a fact-finding decision dated September 20, 2007 Iowa Workforce Development has ruled that Nicole M. Rittgers' separation from employment with USA Staffing, Inc. on February 14, 2007 was a result of a lack of work, not a voluntary quit.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant left work without good cause attributable to the employer. The subsequent Agency determination establishes that the separation was not a voluntary quit. No disqualification shall be imposed. The employer, of course, may file an appeal from the fact-finding decision of September 20, 2007 if it disagrees.

DECISION:

The unemployment insurance decision dated September 10, 2007, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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