

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TONI L WILLIAMS**  
Claimant

**APPEAL NO. 14A-UI-02760-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**  
Employer

**OC: 01/26/14  
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit  
Section 96.5-1-j – Separation from Temporary Employment

**STATEMENT OF THE CASE:**

The claimant filed an appeal from a representative's decision dated March 4, 2014, reference 03, which held that the claimant was ineligible for unemployment insurance benefits. After due notice, a hearing was held on April 3, 2014, by telephone conference call. The claimant participated personally. The employer did not respond to the hearing notice and did not participate. The record consists of the testimony of Toni Williams and Claimant's Exhibit A.

**ISSUE:**

Whether the claimant was separated from her employment for any disqualifying reason.

**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 employer is a temporary staffing agency. The claimant worked for the employer from January 6, 2014, to January 27, 2014. The assignment was ended per the client's request. The claimant requested another assignment but nothing has been available.

**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 claimant is eligible for unemployment insurance benefits. The employer's client ended the claimant's assignment. She requested another assignment. Since the claimant did not voluntarily quit nor was she discharged for misconduct, benefits are allowed provided the claimant meets all other eligibility requirements.

**DECISION:**

The decision of the representative dated March 4, 2014, reference 03, is reversed. Unemployment insurance benefits are allowed, provided the claimant meets all other eligibility requirements.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

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