

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAVID EASON
Claimant

APPEAL NO: 13A-UI-12135-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

L A LEASING INC/SEDONA STAFFING
Employer

OC: 09/22/13
Claimant: Respondent (4)

Section 96.5-1 – Voluntary Leaving/Requalification

STATEMENT OF THE CASE:

L A Leasing, Inc. / Sedona Staffing (employer) appealed a representative's October 21, 2013 decision (reference 03) that concluded David Eason was qualified to receive unemployment insurance benefits after a separation from employment. Hearing notices were mailed to the parties' last-known addresses of record for a telephone hearing to be held on November 20, 2013. At the time for the hearing but in lieu of the hearing being held, the administrative law judge determined and the responding party, the employer, concurred that no hearing was necessary and a decision was made on the record. Based on a review of the available information and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant's July 2, 2013 separation disqualify him from benefits and is the employer's account subject to charge?

FINDINGS OF FACT:

The employer is a temporary staffing agency. The claimant worked on or more on temporary assignments with the employer through July 2, 2012. The employer asserted that the claimant voluntarily quit as of that date by not reporting for scheduled assignments.

The claimant established a claim for unemployment insurance benefits effective September 22, 2013. His weekly benefit amount was calculated to be \$74.00. After the ending of the employment with the employer on July 2, 2012, the claimant earned at least \$740.00 with other employers. Agency records further indicate that there has been a determination that the claimant had a disqualifying separation from one of his subsequent employers, from which he has yet not requalified.

REASONING AND CONCLUSIONS OF LAW:

The wages the claimant was paid in July 2012 are still in his base period for his September 22, 2013 claim year. The employer asserted the claimant voluntarily quit as of July 2, 2012,

because he did not report to another job assignment as scheduled. However, this issue does not need to be addressed because after the claimant worked for the employer but before he filed his claim for benefits September 22, 2013, he earned more than \$740.00 in wages from other employers. As a result, the reasons for his separation in July 2012 do not affect the claimant's eligibility to receive unemployment insurance benefits. 871 IAC 24.28(1). This also means the employer's account will not be charged for any benefits the claimant might receive, if he was otherwise eligible.

DECISION:

The representative's October 21, 2013 decision (reference 03) is modified in favor of the employer. The claimant is requalified to receive unemployment insurance benefits after his employment ended on July 2, 2012. Since the claimant has requalified to receive unemployment insurance benefits, the employer's account will not be charged for any benefits that might be paid to the claimant based on his wage credits with the employer accrued through July 2, 2012.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/pjs