

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**FLOYD C STRODE**

Claimant

**APPEAL NO. 08A-UI-04849-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EAST WEST STAFFING**

Employer

**OC: 12/02/07 R: 03  
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Floyd Strode filed an appeal from a representative's decision dated May 13, 2008, reference 04, which denied benefits based on his separation from East West Staffing. After due notice was issued, a hearing was held by telephone on June 4, 2008. Mr. Strode participated personally. The employer participated by Michelle Mutchler, On-Site Manager.

**ISSUE:**

At issue in this matter is whether Mr. Strode was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Strode began working for East West Staffing, a hiring agency, on November 6, 2007. He was assigned to work full time for Scott's Fertilizer. His last day of work was April 17, 2008. He left the assignment when he stopped reporting for available work with no notice to the employer. Continued work would have been available if he had continued reporting for work.

Mr. Strode learned from his wife's uncle that there was possible work at a company called PFS. Mr. Strode interviewed for a position and was invited back for a second interview. He was told at the time of the second interview that he did not get the job. He quit his job with East West Staffing before the second interview but did not return to East West Staffing to see what work, if any, was available after he learned he did not get the new job.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Strode abandoned his job at Scott's Fertilizer when he stopped reporting for work with no notice. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Although he had interviewed for work with a different employer, there had been

no actual offer of work when he quit his job. Therefore, he did not quit his job through East West Staffing in good faith to accept other work as provided by Iowa Code section 96.5(1)a.

The administrative law judge concludes that Mr. Strobe left his employment with East West Staffing to seek other employment but failed to secure such other employment. Under such circumstances, an individual is presumed to have quit employment for no good cause attributable to the employer. See 871 IAC 24.25(3). Inasmuch as the evidence does not establish any good cause attributable to East West Staffing for Mr. Strobe's separation, he is not entitled to job insurance benefits.

**DECISION:**

The representative's decision dated May 13, 2008, reference 04, is hereby affirmed. Mr. Strobe left his employment for no good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/css