

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICHARD A JONES
Claimant

APPEAL NO. 09A-UI-07449-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

REMEDY INTELLIGENT STAFFING INC
Employer

OC: 04/05/09
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Richard Jones, filed an appeal from a decision dated May 12, 2009, reference 03. The decision disqualified him from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on June 8, 2009. The claimant participated on his own behalf. The employer, Remedy Intelligent Staffing, Inc. (Remedy), participated by Staffing Consultant Sadie Garland.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Richard Jones was employed by Remedy from November 3, 2008 until November 18. He had one assignment from November 5 through 13, 2008, at Cedar Graphics. When he called in sick on November 14, 2008, the employer called the client company to find out if it wanted him to return, and the client informed Remedy it did not want Mr. Jones to return because he was “not a good fit.”

The employer offered Mr. Jones another assignment at Worley Warehouse to begin on November 17, 2008, and he accepted the assignment. But on November 17, 2008, he called in and left a message asking if he should really go to that assignment because he had worked for Worely Warehouse previously and been fired after 14 days. He did not give any reason for failing to discuss this concern with Remedy at the time he accepted the assignment. Someone from Remedy contacted him and ascertained he would be at the assignment the next day but he was no-call/no-show.

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.

The claimant was aware he would be assigned to Worley Warehouse and accepted the assignment. After doing so he did not appear for work as scheduled and never contacted Remedy again to request another assignment or discuss any further concerns. Continuing work was available to him had he appeared for work as agreed. This is a voluntary quit without good cause attributable to the employer and the claimant is disqualified.

DECISION:

The representative's decision of May 12, 2009, reference 03, is affirmed. Richard Jones is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs