

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JAMES E WHITSON II
Claimant

APPEAL NO. 10A-UI-10061-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEMP ASSOCIATES - MARSHALLTOWN
Employer

OC: 06/13/10
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, James Whitson, filed an appeal from a decision dated July 8, 2010, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on September 1, 2010. The claimant participated on his own behalf. The employer, Temp Associates, participated by Manager Nancy Mullaney.

ISSUE:

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

FINDINGS OF FACT:

James Whitson was employed by Temp Associates from January 14, 2010 until April 21, 2010. His first and only assignment was at Victor Manufacturing which ended February 25, 2010. After that date, he was offered at least two assignments that he refused. The second refusal was on April 21, 2010, when he talked with Associate Art Heinzer. At that time, he told Mr. Heinzer he was looking outside of Temp Associates for a job that was closer to home and did not want to continue going through the employer.

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 quit when he notified Temp Associates he no longer wanted to “go through” that company to look for work. He was not satisfied with the assignments he had been offered, but there does not appear to have been any guarantee regarding where work would be available. The claimant knew this was a temporary agency and the work available would depend on the

needs of Temp Associates' clients. The record establishes the claimant did not have good cause attributable to the employer for quitting and he is disqualified.

DECISION:

The representative's decision of July 8, 2010, reference 01, is affirmed. James Whitson II 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/kjw