

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**COLLIN L ROBINSON
803 GRAND AVE #2
AMES IA 50010-6039**

**USA STAFFING INC
LABOR WORLD OF IOWA
3921 NE 14TH ST
DES MOINES IA 50313**

**Appeal Number: 06A-UI-01237-CT
OC: 01/01/06 R: 02
Claimant: Appellant (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Collin Robinson filed an appeal from a representative's decision dated January 30, 2006, reference 01, which denied benefits based on his separation from USA Staffing, Inc. After due notice was issued, a hearing was held by telephone on February 23, 2006. Mr. Robinson participated personally and offered additional testimony from Darcy Winston. The employer participated by Jodi Brungardt, Branch Manager.

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. Robinson began working through USA Staffing, Inc. in July of 2005. He was to start an assignment with Story Construction on July 6 but did

not report, because he did not have transportation. The employer then attempted to send him to Woodruff Construction on July 6, but he never appeared for work. Mr. Robinson reactivated his status on September 13 and was placed with Putco on September 14. He requested removal from the assignment on September 15. On September 19, Mr. Robinson failed to show for his assignment with Enterprise. He started an assignment with Clarion on September 22 but did not return after September 23 because of medical problems.

On November 4, Mr. Robinson accepted an assignment with Todd and Sergeant and was to start on November 7. The assignment was for full-time hours and would have lasted approximately two months. He was contacted on November 5 to make sure he still intended to report for the assignment. He indicated he would pick up his time ticket and report as scheduled on November 7. Mr. Robinson did not report or contact the employer regarding his intentions.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Robinson was separated from employment for any disqualifying reason. The administrative law judge concludes that he quit when he failed to report for an assignment on November 7 after accepting it on November 4. 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). Mr. Robinson did not recall accepting work with Todd and Sergeant in November of 2005. He had a history of accepting work and then not reporting as scheduled. The evidence of record does not establish any cause attributable to the employer for Mr. Robinson's failure to report for work on November 7, 2005. Therefore, benefits are denied.

DECISION:

The representative's decision dated January 30, 2006, reference 01, is hereby affirmed. Mr. Robinson voluntarily quit employment on November 7, 2005, 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.

cfc/kjw