

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CRYSTAL A GIBSON
Claimant

MANPOWER INTERNATIONAL INC
Employer

APPEAL NO. 15A-UI-07802-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/24
Claimant: Appellant (1)**

Iowa Code § 96.5-2-a – Discharge for Misconduct

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated June 18, 2015, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 10, 2015. Claimant participated. Employer participated by Ryan Brennan.

ISSUES:

Whether claimant was discharged for misconduct?

Whether claimant voluntarily quit with good cause attributable to employer?

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on March 11, 2015. Claimant had been placed at Con Agra in February 2015. Claimant stated that she was told her assignment had ended. Claimant had no further contact with employer subsequent to her assignment ending. Claimant stated that employer had normally contacted her with new opportunities for assignments.

Employer stated that claimant came into the office on March 11, 2015 and stated that she was going to be moving to Mississippi the next day. Claimant had no further contact with employer. Employer did not provide any documentation surrounding claimant's quit, nor was any documentation provided concerning claimant's notification requirements upon the ending of an assignment. Claimant did state that she had no money to move to Mississippi, and stated that her parents were in Mississippi, but said that her children are in Iowa.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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.

In this matter there is a great difference between the testimony of claimant and employer. The administrative law judge must determine which party's testimony to attach credibility to before reaching a decision in this matter. Employer did offer specifics as to the date of the job separation and the reason for the separation. Claimant offered no reasons why she was not in contact with employer, even once, since the date of job separation. Claimant did state that employer had contacted her previously, but claimant's lack of contact with employer following her allegation of the job ending falls more in line with employer's story that claimant planned to move.

The administrative law judge finds employer's testimony more credible in this matter and believes that claimant voluntarily quit her employment with employer to move, but was not able to move. Benefits are denied.

DECISION:

The decision of the representative dated June 18, 2015, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/pjs