

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

OLIVER G GBAH
Claimant

APPEAL NO: 14A-UI-04535-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ADVANCE SERVICES INC
Employer

OC: 09/29/13
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's April 23, 2014 determination (reference 02) that disqualified him from receiving benefits and held the employer's account exempt from charge because he voluntarily quit his (assignment) employment for reasons that do not qualify him to receive benefits. The claimant participated at the June 5 hearing. Michael Payne, the risk manager, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit an assignment for reasons that qualify him to receive benefits, or did the employer discharge him for work-connected misconduct?

FINDINGS OF FACT:

The claimant registered to work for the employer. The employer assigned him to a full-time job at FIMCO on March 19, 2014. When the claimant registered to work for the employer's clients, he received information that after he accepted an assignment the employer expected him to complete the assignment. If a person does not complete an assignment, the employer considers that person to have voluntarily quit.

On March 24, 2014, the claimant contacted the employer's representative to report he had to leave the assignment because his aunt was hospitalized in Minneapolis and was not doing well. The claimant wanted to be with her and did not know how long he would be gone. The claimant understood that when he returned to Sioux City, he should contact the employer to see if the employer could assign him to the same job or another job.

The claimant returned to Sioux City and contacted the employer on April 8. The employer contacted FIMCO about any job openings, but this client did not have any work for the claimant. The employer told the claimant he would be called if they had another assignment for him.

The claimant filed an additional claim on March 30, 2014.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer, or an employer discharges him for reasons constituting work-connected misconduct. Iowa Code § 96.5(1), (2)a. The employer did not discharge the claimant. Instead, the claimant initiated the employment separation on March 24, 2014. The claimant did not complete his assignment at FIMCO and quit this assignment. When a claimant quits, he has the burden to establish he quit for reasons that qualify him to receive benefits. Iowa Code § 96.6(2).

The claimant quit this assignment for personal reasons. The claimant's aunt had health issues and he wanted to be with her when she was hospitalized. It is commendable that the claimant wanted to be with his aunt when she was hospitalized. By leaving his assignment before he completed it, the claimant initiated his employment separation by quitting an assignment he had accepted before he completed the assignment. The claimant established personal reasons for quitting, but his reason for leaving or quitting this assignment does not qualify him to receive benefits. As of March 30, 2014, the claimant is not qualified to receive benefits.

DECISION:

The representative's April 23, 2014 determination (reference 02) is affirmed. The claimant voluntarily quit his employment for personal reasons, but these reasons do not qualify him to receive benefits. As of March 30, the claimant is disqualified from receiving unemployment insurance benefits until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css