

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANTHONY D. COATES
Claimant

PEOPLEREADY, INC.
Employer

APPEAL 20A-UI-08050-BH-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/17/20
Claimant: Appellant (1)

Iowa Code section 96.5(1) – Voluntary Quit

Iowa Code section 96.5(1)(j) – Timely Request for a New Assignment by Temporary Employee
Iowa Administrative Code rule 871-24.25 – Voluntary Quit Without Good Cause Attributable to the Employer

Iowa Administrative Code rule 871-24.26 – Voluntary Quit With Good Cause Attributable to the Employer

STATEMENT OF THE CASE:

The claimant, Anthony D. Coates, appealed the July 7, 2020 (reference 02) unemployment insurance decision that denied benefits based upon a finding Coates voluntary quit his job with PeopleReady, Inc. (PeopleReady) without good cause attributable to the employer. The agency properly notified the parties of the appeal and hearing. The undersigned presided over a telephone hearing on August 20, 2020. Coates participated personally and testified. PeopleReady did not participate.

ISSUES:

Was Coates's separation from employment with PeopleReady a layoff, discharge for misconduct, or voluntary quit without good cause attributable to the employer?

Did Coates make a timely request for a new assignment from PeopleReady?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the undersigned finds the following facts. PeopleReady is a temporary staffing firm. PeopleReady hired Coates on or about November 27, 2019. He worked part time as a laborer who PeopleReady assigned as a temporary employee. Coates voluntarily left employment with PeopleReady, effective December 9, 2019.

At the time PeopleReady hired Coates, he lived in Sioux City. Coates worked one assignment for PeopleReady. He left the assignment after an employee of PeopleReady's client firm threatened him. Coates notified PeopleReady that he would not return to the assignment because he felt unsafe and requested a new assignment on the same day of the threat. On December 10, 2019, Coates received information that led him to move that weekend to Des Moines, Iowa.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the undersigned concludes Coates voluntarily left employment with PeopleReady without good cause attributable to the employer under the Iowa Employment Security Law, Iowa Code chapter 96. Iowa Code section 96.5(1) disqualifies a claimant from benefits if the claimant quit she job without good cause attributable to the employer. Under section 96.5(1)(j), a temporary employee of a temporary staffing firm must notify the firm of the end of a job assignment and request a new assignment within three days of the assignment ending. The evidence establishes Coates did just that.

Administrative rules help flesh out what constitutes an employee voluntarily leaving employment under section 96.5(1) and what does not. A burden-shifting framework is used to evaluate quit cases. Because an employer may not know why a claimant quit, the claimant has the initial burden to produce evidence suggesting the claimant is not disqualified from benefits under Iowa Code section 96.5(1) a through j and section 96.10. If the claimant produces such evidence, the employer has the burden to prove the claimant is disqualified from benefits under section 96.5(1).

Iowa Administrative Code rule 871-24.25 creates a presumption a claimant quit without good cause attributable to the employer in certain circumstances. Iowa Administrative Code rule 871-24.26 identifies reasons for quitting that are considered for good cause attributable to the employer. Under rule 871-24.25(2), it is presumed a claimant voluntarily left employment without good cause attributable to the employer if the claimant moved to a different locality.

Here, the evidence shows that Coates worked for PeopleReady in the Sioux City area. His last assignment with PeopleReady ended during the work week ending on Friday, December 9, 2019. On December 10, 2019, Coates decided to move to Des Moines that weekend.

For these reasons, the evidence establishes Coates voluntarily left employment without good cause attributable to the employer under section 96.5(1) and rule 871-24.25(2). Coates is therefore not eligible for regular unemployment insurance benefits under Iowa law.

DECISION:

Regular Unemployment Insurance Benefits Under State Law

The July 7, 2020 (reference 02) unemployment insurance decision is affirmed. Coates voluntarily left employment without good cause attributable to PeopleReady. Benefits are withheld until such time as Coates has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Pandemic Unemployment Assistance (PUA) Under the Federal CARES Act

Even though Coates is not eligible for regular unemployment insurance benefits under state law, he may be eligible for federally funded unemployment insurance benefits under the CARES Act. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if Coates is eligible for such compensation for the week claimed.

This decision does not address whether Coates is eligible for PUA. For a decision on such eligibility, Coates must apply for PUA, as noted in the instructions provided in the "Note to Claimant" below.



Ben Humphrey
Administrative Law Judge

August 24, 2020
Decision Dated and Mailed

bh/scn

NOTE TO CLAIMANT:

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.**
- For more information about PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-information>

- To apply for PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-application>