

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEMEITRA A MC CAUNE

Claimant

APPEAL NO: 13A-UI-02180-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC

Employer

OC: 01/13/13

Claimant: Respondent (4)

Iowa Code § 96.5(1)a – Voluntary Quit for Other Employment

PROCEDURAL STATEMENT OF THE CASE:

The employer appealed a representative's February 15, 2013 determination (reference 02) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant completed a temporary job and her late July 2012 employment separation was for nondisqualifying reasons. The claimant did not respond to the hearing notice or participate in the hearing. Jackson Redden appeared on the employer's behalf. Based on the evidence, the employer's arguments of the parties, and the law, the administrative law judge concludes the claimant quit an assignment for reasons that qualify her to receive benefits and the employer's account will not be charged.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits, or did the employer discharge her for reasons constituting work-connected misconduct?

FINDINGS OF FACT:

The employer is a staffing agency. The claimant worked an on-going assignment, but accepted a short-term assignment, when her regular assigned client temporarily did not have work for her. The claimant worked the short-term assignment on July 28, 2012. Even though she could also have worked the next day at this assignment, she did not. The claimant did not work the next day because she accepted employment with another employer, Menards.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits because she has accepted other employment, the claimant is not disqualified from receiving benefits and the employer's account will not be charged. Iowa Code § 96.5(1)a.

Since the claimant quit a job assignment on July 29, 2012, because she accepted another job, this employment separation does not disqualify the claimant from receiving benefits. The employer's account will not be charged.

DECISION:

The representative's February 15, 2013 determination (reference 02) is modified in the employer's favor. The claimant voluntarily quit an assignment because she accepted another job. Therefore, the reason for her July 29, 2012 employment separation does not disqualify her from receiving benefits and the employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs