

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LAWRENCE B NIGH**  
Claimant

**APPEAL NO. 08A-UI-04877-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EAST WEST STAFFING**  
Employer

**OC: 04/13/08 R: 12  
Claimant: Respondent (2)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

East West Staffing filed an appeal from a representative's decision dated May 8, 2008, reference 01, which held that no disqualification would be imposed regarding Lawrence Nigh's separation from employment. After due notice was issued, a hearing was held by telephone on June 5, 2008. The employer participated by Michelle Mutchler, On-Site Manager. Mr. Nigh did not respond to the notice of hearing.

**ISSUE:**

At issue in this matter is whether Mr. Nigh was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Nigh initially began working through East West Staffing, a placement agency, on September 28, 2006. He quit on March 18, 2007 and was rehired on October 22, 2007. He was placed with Scott's Company where he worked full time until April 11, 2008. He stopped reporting for available work after April 11 but did not notify the employer of his intentions. The employer tried to call him but got no response.

Mr. Nigh had not complained about any work-related matters prior to April 11. The employer had not announced any layoff when he stopped reporting for work. Continued work on the assignment would have been available if Mr. Nigh had continued coming to work.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Nigh abandoned his job when he stopped reporting for available work. 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. Nigh did not participate in the hearing to explain why he stopping reporting for work at Scott's Company. The evidence of record does not suggest any good cause attributable to the employer for the quit. As such, benefits are denied.

No overpayment results from this reversal of the prior allowance as Mr. Nigh has not claimed benefits on his claim filed effective April 13, 2008.

**DECISION:**

The representative's decision dated May 8, 2008, reference 01, is hereby reversed. Mr. Nigh voluntarily quit his employment 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.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

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