

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ROSEMARY HOWARD
Claimant

FBG SERVICE CORPORATION
Employer

APPEAL NO. 14A-UI-09251-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 07/06/14
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated September 2, 2014, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on September 26, 2014. Claimant participated. Employer participated by Thomas Kuiper with witness Kay Volz. Employer's Exhibits 1-2 were admitted into evidence.

ISSUE:

The issue in this matter is whether claimant quit for 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 June 30, 2014. Claimant had been working 4:00 p.m. until midnight hours for employer working in janitorial service at Cedar Valley. On May 13, 2014 employer met with claimant and explained that employer had an eleven-month contract with Cedar Valley. The month of July was to be a month with no cleaning done. Claimant was told that she could get temporary unemployment during that month.

On June 2, 2014 employer found new work for claimant to do. The work was at Hawkeye Community College. Claimant worked the hours of 6:00 p.m. to 2:00 a.m. Claimant worked at this job from June 6 through June 30. Claimant admits to not liking the hours. At the June 30 meeting, claimant was reminded again that she did have employment and would not be on temporary unemployment through July.

Claimant did not show up for work after this time. Claimant was deemed to have voluntarily quit her employment when she did not show up at the Hawkeye job site for a number of days. Starting July 6 claimant filed for unemployment throughout the month of July.

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.

The administrative law judge holds that the evidence has established that claimant voluntarily quit her employment without good cause attributable to employer when claimant stopped showing up for work following the June 30, 2014 meeting with employer.

Claimant was alerted on June 2, 2014 that the previously offered temporary unemployment was no longer available. Claimant was given four weeks advance notice that there was ongoing employment. Claimant had been working at the new job site for a month. She was again informed of the ongoing work on June 30, 2014.

Claimant chose not to show up for work after the June 30, 2014 meeting. She could not offer any explanation as to how the temporary layoff would still be in effect when she was no longer working at the location where the layoff was to take place. This is seen as a voluntary quit.

DECISION:

The decision of the representative dated September 2, 2014, reference 02, 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/css