

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DOREEN J IRVIN

Claimant

APPEAL NO. 10A-UI-16530-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC

Employer

OC: 09/26/10

Claimant: Appellant (2)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated November 30, 2010, reference 04, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on January 21, 2011. Neither party participated in the hearing. Based on the administrative file and the law, the following findings of fact, reasoning and conclusions of law, and decision are entered.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. The claimant last worked on October 10, 2009. She was worked on a full time temporary assignment when she was asked to work on a full-time assignment at Jolly-Time Popcorn that could lead to a permanent job there. After moving to the new assignment at Jolly-Time Popcorn, the claimant discovered the Jolly-Time assignment was only part time about four hours per week. As the work was misrepresented, the claimant quit employment.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. The claimant left work due to a misrepresentation that the assignment was full time. Good cause attributable to the employer has been shown for leaving employment. Although the claimant is not disqualified based on this separation, she remains subject to the disqualifications affirmed in 10A-UI-16529-SWT and 10A-UI-16531-SWT.

DECISION:

The unemployment insurance decision dated November 30, 2010, reference 04, is reversed. The claimant is not disqualified based on her separation from the employer. She remains subject to the disqualifications affirmed in 10A-UI-16529-SWT and 10A-UI-16531-SWT.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs