

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRETT A RICKARD**  
Claimant

**APPEAL NO. 10A-UI-03883-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SEDONA STAFFING**  
Employer

**Original Claim: 05/31/09  
Claimant: Respondent (1)**

Section 96.5(1)j – Temporary Employment

**STATEMENT OF THE CASE:**

Sedona Staffing filed an appeal from a representative's decision dated March 9, 2010, reference 01, which held that no disqualification would be imposed regarding Brett Rickard's separation from employment. After due notice was issued, a hearing was held by telephone on April 28, 2010. Mr. Rickard participated personally. The employer participated by Chad Baker, Workers' Compensation Administrator, and Margo Bojorquez, Branch Manager.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Rickard began working through Sedona Staffing on October 22, 2009 and was assigned to work full-time at Henderson's Manufacturing. Sedona Staffing notified him on December 2, 2009 that he was not to return to the assignment. He was not offered a new assignment at that time. Mr. Rickard was next in contact with Sedona Staffing on December 11 but was not offered further work.

**REASONING AND CONCLUSIONS OF LAW:**

The parties do not dispute the fact that Mr. Rickard completed his last assignment. Iowa Code section 96.5(1)j requires an employee of a temporary placement firm to notify the firm that an assignment has ended within three working days of completion of the assignment. Such notice is to let the firm know that the individual is again available for placement. The failure to provide such notice constitutes a voluntary quit. The administrative law judge believes the statute presupposes that the temporary firm is not otherwise notified that the assignment has been completed.

In the case at hand, Sedona Staffing notified Mr. Rickard that his assignment with Henderson's Manufacturing was over. It would serve no useful purpose for him to re-contact Sedona Staffing

to provide it with the same information it had given him regarding the assignment being over. For the above reasons, the administrative law judge concludes that Mr. Rickard's failure to re-contact Sedona Staffing within three working days shall not result in disqualification from benefits.

**DECISION:**

The representative's decision dated March 9, 2010, reference 01, is hereby affirmed. Mr. Rickard was separated from Sedona Staffing on December 2, 2009 for no disqualifying reason. Benefits are allowed, provided he is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw