

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STORMY J LANDERS

Claimant

APPEAL NO. 120-UI-03254-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JACOBSON STAFFING COMPANY LC

Employer

OC: 02/13/11

Claimant: Respondent (1)

Section 96.5-2-a – Discharge

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated December 13, 2011, reference 02, which held claimant's discharge was not for work-connected misconduct. A telephone hearing was held on April 17, 2012. The claimant participated in the hearing. No one participated in the hearing on behalf of the employer.

ISSUES:

Was the claimant discharged for work-connected misconduct?

Did the claimant contact the temporary firm within three days after her work assignment ended?

FINDINGS OF FACT:

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. When the claimant was hired, she was informed that she would be considered to have voluntarily quit employment if she did not contact the employer within three working days after the completion of a job assignment and request a new assignment.

The claimant worked on an assignment at Jacobsen Staffing from June 16, 2011, to November 5, 2011. She was removed from the assignment on November 7, 2011, because she was told there was a problem with some paperwork she had filled out. The error was not due to any willful misconduct by the claimant.

The claimant called the employer on November 9 or 10 requesting a new assignment, but no work was available. She kept in regular contact with the employer afterward.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a.

Iowa Code § 96.5-1-j provides that individuals employed by a temporary agency must contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment without good cause attributable to the employer, provided that the employer has given them a statement to read and sign that advises them of these requirements.

The claimant's removal was not for work-connected misconduct as defined by the unemployment law. She satisfied the requirements of Iowa Code § 96.5-1-j. She is eligible for benefits. No overpayment occurred.

DECISION:

The unemployment decision dated December 13, 2011, reference 02, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs