

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GEORGE VASQUEZ
Claimant

APPEAL NO. 10A-UI-04787-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC
Employer

OC: 02/07/10
Claimant: Respondent (1)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated March 19, 2010, reference 01, that concluded he had completed his temporary work assignment and had contacted the employer within three days. A telephone hearing was held on May 17, 2010. The parties were properly notified about the hearing. The claimant participated in the hearing. Suzette Harms participated in the hearing on behalf of the employer. Exhibit A was admitted into evidence at the hearing.

ISSUE:

Did the claimant complete his temporary work assignment and contact the employer within three days?

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, he signed a statement that he would be considered to have voluntarily quit employment if he did not contact the employer within three working days after the completion of a job assignment to seek another assignment.

The claimant worked on temporary assignments for the employer from June 17, 2009, to September 29, 2009. Most of his assignments were one-day assignments as of September 2009, he only was given a few short assignments.

His last work assignment was a one-day assignment on September 29. The job involved working on scaffolding by himself, which he considered dangerous. He asked for and was given help in completing the work. A supervisor with the employer informed him that because he required help to complete the job, the client business was only going to pay the employer half of its fee. As a result, the supervisor told him he was not going to be sent out on an assignment for a while.

The claimant reported to the employer's office at 5:40 a.m. and signed up for work. He waited to be assigned work and then left. He informed the employer that he was moving because he could not afford staying in the Sioux City area without more work.

REASONING AND CONCLUSIONS OF LAW:

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 fulfilled the requirements of Iowa Code § 96.5-1-j and is eligible for benefits since he finished his last assignment and reported for work the next day.

DECISION:

The unemployment insurance decision dated March 19, 2010, reference 01, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css