

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**MATTHEW J KOPPES  
930 ½ KIRKWOOD  
DUBUQUE IA 52001**

**DUBUQUE COMMUNITY  
SCHOOL DISTRICT  
ATTN: DIRECTOR  
2300 CHANEY RD  
DUBUQUE IA 52001**

**Appeal Number: 04A-UI-12265-S2T  
OC: 10/17/04 R: 04  
Claimant: Respondent (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1-j – Separation from Temporary Employer

STATEMENT OF THE CASE:

Dubuque Community School District (employer) appealed a representative's November 5, 2004 decision (reference 01) that concluded Matthew Koppes (claimant) was eligible to receive unemployment insurance benefits based on his separation from work. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on December 8, 2004. The claimant did not provide a telephone number where he could be reached and, therefore, did not participate. The employer participated by Amy Vandermeulen, Administrative Assistant.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The employer is a temporary employment service. The claimant performed services from June 21 through July 22, 2004. At the time he was hired the claimant understood his contract for hire would be completed on July 22, 2004. The claimant completed his assignment on July 22, 2004.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant was separated from the employer for any disqualifying reason. The claimant was hired for placement in a temporary work assignment. A person so hired must complete the last assignment in order to avoid the voluntary quit provisions of the law.

871 IAC 24.26(19) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(19) The claimant was employed on a temporary basis for assignment to spot jobs or casual labor work and fulfilled the contract of hire when each of the jobs was completed. An election not to report for a new assignment to work shall not be construed as a voluntary leaving of employment. The issue of a refusal of an offer of suitable work shall be adjudicated when an offer of work is made by the former employer. The provisions of Iowa Code section 96.5(3) and rule 24.24(96) are controlling in the determination of suitability of work. However, this subrule shall not apply to substitute school employees who are subject to the provisions of Iowa Code section 96.4(5) which denies benefits that are based on service in an educational institution when the individual declines or refuses to accept a new contract or reasonable assurance of continued employment status. Under this circumstance, the substitute school employee shall be considered to have voluntarily quit employment.

The claimant was hired on a temporary basis for assignment to a spot job or casual labor. He completed his work assignment. His separation was for no disqualifying reason.

DECISION:

The representative's November 5, 2004 decision (reference 01) is affirmed. The claimant was separated from the employer on July 22, 2004, for no disqualifying reason.

bas/kjf