

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILLIAM J BENTLEY**  
Claimant

**APPEAL NO. 10A-UI-11086-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LABOR READY MIDWEST INC**  
Employer

**OC: 06/13/10**  
**Claimant: Respondent (1)**

Section 96.5-1-j – Voluntary Quit Temporary Employment Firm

**STATEMENT OF THE CASE:**

The employer appealed a representative's July 27, 2010 decision (reference 02) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant's employment separation was for non-disqualifying reasons. A telephone hearing was held on September 23, 2010. The claimant participated in the hearing. Kathy Archer appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit his employment for reasons that qualify him to receive benefit, or did the employer discharge the claimant for work-connected misconduct?

**FINDINGS OF FACT:**

The claimant registered to work for the employer on May 19, 2010. When he registered for work, the claimant received information that under Iowa law he had to contact the employer within three days of completing a job assignment or he could jeopardize his eligibility to receive unemployment insurance benefits. (Employer Exhibit One.)

The employer assigned the claimant to skilled and unskilled jobs. When the employer had a skilled job opening, the employer called the claimant about the job. The claimant worked a number of days in May, June, and July. Most of his assignments were one-day jobs. When the claimant completed a job, he asked the employer about other work when he picked up his paycheck.

The last job the claimant completed was a one-day job on July 14. Although the claimant did not sign in, he asked the employer about another job when he picked up his paycheck for this job. Since July 14, the employer has not called the claimant for any skilled jobs. The claimant has not gone to the employer's office after he picked up his pay for the July 14 job to wait several hours to see if he would be assigned a one-day unskilled labor job.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer, or an employer discharges him for reasons constituting work-connected misconduct. Iowa Code §§ 96.5-1, 2-a. An individual who is a temporary employee of a temporary employment firm may be disqualified from receiving unemployment insurance benefits if the individual does not notify the temporary employment firm within three working days after completing the job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise the individual in writing of the three-day notification rule and that the individual may be disqualified from receiving unemployment insurance benefits if he fails to notify the employer. Iowa Code § 96.5-1-j.

The evidence establishes the employer knew the claimant finished a one-day assignment on July 14. When the claimant picked up his wages for this work, he asked the employer if the employer had any work for him to do, skilled work, and learned there was not. The claimant satisfied the requirement of Iowa Code § 96.5-1-j. The employer knew the claimant was available for more work as of July 15. Since the employer did not have any other skilled jobs to assign to the claimant, the employer did not contact him. For unemployment insurance purposes, the claimant completed a temporary job and remains qualified to receive benefits as of July 11, 2010.

During the claimant's current benefit year, the employer is not one of the claimant's base period employers. Therefore, the employer's account will not be charged for benefits during this benefit year.

**DECISION:**

The representative's July 27, 2010 decision (reference 02) is affirmed. The claimant completed a temporary job assignment and the employer did not have another job to assign him when he made a timely inquiry about another job. The claimant remains qualified to receive benefits as of July 11, 2010, provided he meets all other eligibility requirements. During the claimant's current benefit year, the employer's account will not be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw