

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TIA L ANDERSON**  
Claimant

**APPEAL NO. 09A-UI-15495-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**USA STAFFING INC**  
**LABOR WORLD**  
Employer

**Original Claim: 09/06/09**  
**Claimant: Appellant (2)**

Section 96.5(1)j – Quit/Temporary

**STATEMENT OF THE CASE:**

The claimant, Tia Anderson, filed an appeal from a decision dated October 9, 2009, reference 02. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 17, 2009. The claimant participated on her own behalf. The employer, Labor World, did not provide a telephone number where a witness could be contacted and did not participate.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Tia Anderson was employed by Labor World from April until August 23, 2009, out of the Waterloo, Iowa, office. Her last assignment began August 17, 2009, for Cedar Falls Construction at a job site in Pocahontas, Iowa. That assignment ended and the claimant returned to her home in the Waterloo, Iowa, on August 23, 2009. The next day, she contacted the Labor World office to ask for more work and was told there was nothing available.

Ms. Anderson did move to Davenport, Iowa, around September 9, 2009, for personal reasons. She is willing to travel within the state of Iowa and maintains contact with the office in Waterloo, Iowa, to request work.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department, but the individual shall not be disqualified if the department finds that:

j. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm of completion of an employment assignment and who seeks reassignment. Failure of the individual to notify the temporary employment firm of completion of an employment assignment within three working days of the completion of each employment assignment under a contract of hire shall be deemed a voluntary quit unless the individual was not advised in writing of the duty to notify the temporary employment firm upon completion of an employment assignment or the individual had good cause for not contacting the temporary employment firm within three working days and notified the firm at the first reasonable opportunity thereafter.

To show that the employee was advised in writing of the notification requirement of this paragraph, the temporary employment firm shall advise the temporary employee by requiring the temporary employee, at the time of employment with the temporary employment firm, to read and sign a document that provides a clear and concise explanation of the notification requirement and the consequences of a failure to notify. The document shall be separate from any contract of employment and a copy of the signed document shall be provided to the temporary employee.

For the purposes of this paragraph:

(1) "Temporary employee" means an individual who is employed by a temporary employment firm to provide services to clients to supplement their work force during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.

(2) "Temporary employment firm" means a person engaged in the business of employing temporary employees.

The claimant had completed her last assignment for Labor World and contacted the employer within three days of the end of her assignment. She has complied with the requirements of the above Code section and is qualified for benefits, provided she is otherwise eligible.

**DECISION:**

The representative's decision of October 9, 2009, reference 02, is reversed. Tia Anderson is qualified for benefits, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw