

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARLON P SIMS
Claimant

APPEAL NO. 07A-UI-04947-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ADECCO USA INC
Employer

**OC: 04/01/07 R: 02
Claimant: Appellant (2)**

Section 96.5-1-j – Separation from Temporary Agency

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated May 9, 2007, reference 04, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on May 31, 2007. The parties were properly notified about the hearing. The claimant participated in the hearing. No one participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant completed his final assignment on December 15, 2006. He contacted the employer that day to see if they had any additional work for him but was told there was no work available. He continued contacting the employer afterward but the employer did not have any assignments for him.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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 evidence establishes the claimant contact his employer within three days after he completed his assignment and sought a new assignment. He is qualified to receive benefits.

DECISION:

The unemployment insurance decision dated May 9, 2007, reference 04, is reversed. 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