

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LESLIE T MYERS**

Claimant

**APPEAL NO. 09A-UI-00234-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**

Employer

**OC: 12/03/07 R: 02  
Claimant: Respondent (1)**

Section 96.5-2-a - Discharge

**STATEMENT OF THE CASE:**

Express Services, Inc. (employer) appealed a representative's December 31, 2008 decision (reference 03) that concluded Leslie T. Myers (claimant) was qualified to receive benefits, and the employer's account was subject to charge because the claimant's employment separation occurred as the result of nondisqualifying reasons. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on January 21, 2009. The claimant participated in the hearing. Holly Burtness, a staffing consultant, 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 benefits, or did the employer discharge the claimant for work-connected misconduct?

**FINDINGS OF FACT:**

The employer is a staffing firm. The claimant registered to work for the employer. The employer assigned the claimant to a job on June 30, 2008. On or about December 1, 2008, the employer contacted the claimant to let him know his job assignment had been completed and there was no more work for him to do at that assignment. The employer did not have another job to assign to the claimant.

Since December 1, the claimant has contacted the employer a number of times about another job assignment. The employer has not had any work to assign to the claimant.

**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. When a claimant completes a job assignment, he has not quit his employment and the employer has not

discharged him for work-connected misconduct. Therefore, the claimant's December 1 employment separation is for nondisqualifying reasons. In this case, the employer informed the claimant that he had completed the job assignment and the employer did not have another job to assign him. Under these facts, the claimant is qualified to receive benefits.

**DECISION:**

The representative's December 31, 2008 decision (reference 03) is affirmed. The claimant became unemployment through no fault of his own on December 1, 2008, when he completed a job assignment and the employer did not have another job to assign to the claimant. As of November 30, 2008, the claimant is qualified to receive benefits, provided he meets all other eligibility requirements. The employer's account may be charged for benefits paid to the claimant.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css