

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**JORDAN L SPENCER**  
Claimant

**TEAM STAFFING SOLUTIONS INC**  
Employer

**APPEAL 21A-UI-15037-AW-T  
ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/05/20  
Claimant: Appellant (1)**

---

Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the June 23, 2021 (reference 03) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing was held on September 21, 2021, at 2:00 p.m. Claimant participated with his attorney Elizabeth Norris. Employer participated through Sarah Fiedler, Risk Manager. Claimant's Exhibits 1 – 9 were admitted. Employer's Exhibit A was admitted. Official notice was taken of the administrative record.

**ISSUE:**

Whether claimant's separation was a voluntary quit without good cause attributable to employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full-time by Team Staffing Solutions, a temporary employment firm, from January 8, 2019 until his employment ended on February 1, 2021. Claimant's assignment was as an Assembler at Winegard in Burlington, Iowa.

Claimant last performed work at Winegard on January 20, 2021. Claimant was absent thereafter due to illness. On February 1, 2021, employer informed claimant that his assignment at Winegard had ended. After February 1, 2021, claimant contacted employer several times requesting a meeting to discuss his assignment at Winegard ending. Claimant did not request another assignment.

Employer has a policy that requires employees to request a new assignment within three business days of an assignment ending. The policy states that failure to request a new assignment within three days may affect future work assignments and the employees' eligibility for unemployment insurance benefits. The policy is a stand-alone document. Claimant received the policy and acknowledged receipt on January 7, 2019.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes that claimant voluntarily quit his employment without good cause attributable to employer. Benefits are denied.

Iowa Code section 96.5(1)(j) provides:

An individual shall be disqualified for benefits

1. 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. (1) 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.

(2) 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.

Iowa Admin. Code r. 871-24.26(15) 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:

Employee of temporary employment firm.

a. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm within three days of completion of an employment assignment and seeks reassignment under the contract of hire. The employee must be advised by the employer of the notification requirement in writing and receive a copy.

b. The individual shall be eligible for benefits under this subrule if the individual had good cause for not contacting the employer within three days and did notify the employer at the first reasonable opportunity.

c. Good cause is a substantial and justifiable reason, excuse or cause such that a reasonable and prudent person, who desired to remain in the ranks of the employed, would find to be adequate justification for not notifying the employer. Good cause would

include the employer's going out of business; blinding snow storm; telephone lines down; employer closed for vacation; hospitalization of the claimant; and other substantial reasons.

d. Notification may be accomplished by going to the employer's place of business, telephoning the employer, faxing the employer or any other currently accepted means of communications. Working days means the normal days in which the employer is open for business.

In this case, claimant was notified on February 1, 2021 that his assignment at Winegard had ended. Claimant did not request a new assignment from employer within three working days. Claimant was notified of the requirement to request a new assignment within three days of an assignment ending and signed acknowledging receipt. Because claimant did not request a new assignment within three working days, claimant is considered to have voluntarily quit without good cause attributable to employer. Accordingly, claimant is not eligible for benefits.

**DECISION:**

The June 23, 2021 (reference 03) unemployment insurance decision is affirmed. Claimant voluntarily quit his employment without good cause attributable to employer. Benefits are denied until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.



---

Adrienne C. Williamson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

September 27, 2021  
Decision Dated and Mailed

acw/scn