

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RAMON T MADRID**  
Claimant

**APPEAL NO. 09A-UI-03924-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEMP ASSOCIATES**  
Employer

**OC: 07/27/08**  
**Claimant: Respondent (5)**

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

**STATEMENT OF THE CASE:**

Temp Associates filed a timely appeal from an unemployment insurance decision dated March 9, 2009, reference 05, that allowed benefits to Ramon T. Madrid. After due notice was issued, a telephone hearing was held March 31, 2009 with Mr. Madrid participating. Account Manager Mike Thomas participated for the employer. Ike Rocha served as interpreter.

**ISSUE:**

Was the claimant's separation from employment a disqualifying event?

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Ramon T. Madrid was employed by Temp Associates, a temporary employment agency, from September 2, 2008 until his assignment at Dexter ended on November 21, 2008. Mr. Madrid returned immediately to the Fairfield office of Temp Associates and spoke to Janet Joyce, then the manager. She told him to file a claim for unemployment insurance benefits because there was no work currently available. Mr. Madrid has maintained contact with Temp Associates since that time.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the separation was a disqualifying event. It was not. The evidence in this record persuades the administrative law judge that Mr. Madrid contacted the temporary employment service within three working days after the end of his last assignment. Since no work was available, the separation is better characterized as a layoff than either a discharge or a quit. Benefits are allowed.

**DECISION:**

The unemployment insurance decision dated March 9, 2009, reference 05, is modified. The claimant became unemployed due to a lack of work. He is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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