

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTIE S BARNES
Claimant

APPEAL NO. 09A-UI-17694-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ADECCO USA INC
Employer

OC: 10/18/09
Claimant: Appellant (2)

Section 96.5-1-j – Seeking Reassignment

STATEMENT OF THE CASE:

Christie S. Barnes filed a timely appeal from an unemployment insurance decision dated November 12, 2009, reference 01, that disqualified her for benefits upon a finding that she had not sought reassignment from ADECCO, USA, Inc. within three working days after the end of her assignment on July 31, 2009. After due notice was issued, a telephone hearing was held December 16, 2009 with Ms. Barnes participating. ADECCO did not provide the name and telephone number of a witness.

ISSUE:

Did the claimant seek reassignment within three working days after the end of her last assignment?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Christie S. Barnes' last assignment with ADECCO, USA, Inc. ended on July 31, 2009. Within three working days she sought further assignment from the company. None was available. She has continued to stay in contact with the company, which has not provided any further assignments for her.

REASONING AND CONCLUSIONS OF LAW:

The question is whether benefits should be denied upon the basis that Ms. Barnes failed to seek reassignment within three working days after July 31, 2009. From the evidence in this record the administrative law judge concludes that disqualification is not appropriate.

Iowa Code section 96.5-1-j denies unemployment insurance benefits to claimants under certain circumstances if the claimants have not returned to their temporary employers within three working days in order to seek reassignment. Ms. Barnes has testified under oath and without contradiction that she sought reassignment from ADECCO within three working days after July 31, 2009. Under these circumstances, no disqualification may be imposed.

DECISION:

The unemployment insurance decision dated November 12, 2009, reference 01, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs