

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHANE D SMITH
Claimant

APPEAL NO: 12A-UI-01054-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC
Employer

OC: 12/04/11
Claimant: Appellant (1)

Iowa Code § 96.5(1)j – Voluntary Quit a Temporary Employment Firm

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's January 23, 2012 determination (reference 02) that disqualified him from receiving benefits and held the employer's account exempt from charge because the claimant's employment separation did not qualify him to receive benefits. The claimant participated in the hearing. Sarah Fiedler appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit a temporary employment firm, the employer, by failing to timely contact the employer for another job assignment after completing an assignment?

FINDINGS OF FACT:

The employer is a temporary employment firm. The claimant registered to work for the employer's clients in September 2011. When the claimant registered, he received information that upon completing an assignment he must contact the employer within three working days or he could be considered to have voluntarily quit.

The employer assigned the claimant to a job on September 7, 2011. The claimant completed the job assignment on October 18, 2011. After the claimant completed the assignment, he did not contact the employer to let the employer know the job was completed or to find out if the employer could assign him to another job. The claimant understood he was supposed to contact the employer within three days of completing the assignment, but did not. Instead, the claimant decided he wanted look on his own for a full-time job. When he was unable to find a job, he contacted the employer again on November 14 for another job assignment. The claimant established a claim for benefits during the week of December 4, 2011.

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. An individual who is a temporary employee of a temporary employment firm may be disqualified from receiving unemployment insurance benefits if the individual does not notify the temporary employment firm within three working days after completing the job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise the individual in writing of the three-day notification rule and that the individual may be disqualified from receiving unemployment insurance benefits if he fails to notify the employer. Iowa Code § 96.5(1)j.

Since the claimant worked for the employer, a temporary employment firm, knew and understood the requirements of contacting the employer within three days of completing a job assignment, for unemployment insurance purposes the claimant quit when he failed to contact the employer within three days of completing an assignment. Therefore, as of December 4, 2011, the claimant is not qualified to receive benefits.

DECISION:

The representative's January 23, 2012 determination (reference 02) is affirmed. For unemployment insurance purposes, the claimant voluntarily quit without good when he failed to contact the employer within three working days of completing an assignment. The claimant is disqualified from receiving unemployment insurance benefits as of December 4, 2011. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css