

The claimant started working on this basis on an assignment at McComas-Lacina after applying for work directly with McComas-Lacina. A supervisor with McComas-Lacina had told him that he possibly would be hired directly in two weeks if he worked on an assignment with the employer. He worked for the employer from May 2005 to August 22, 2005. He did not report back to be assigned any further job after August 22, 2005, because he determined that he would be hired by McComas-Lacina and he did not believe it was fair that he was being paid \$8.00 per hour for performing the same work as employees of McComas-Lacina who were being paid \$14.00 per hour. He had been told by his supervisor that the work was going to be ending on August 24, 2005. He had also lined up a handyman job that paid more than he was being paid working for the employer. The claimant had not been informed of any requirement of contacting the employer within three days after the completion of a work assignment or being considered to have voluntarily quit employment.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law provides for a disqualification for claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code sections 96.5-1 and 96.5-2-a.

Iowa Code section 96.5-1-j provides that individuals employed by a temporary agency must contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment without good cause attributable to the employer, provided that the employer has given them a statement to read and sign that advises them of these requirements.

The claimant is not subject to disqualification under Iowa Code section 96.5-1-j, because he was not given a statement that complies with that law. The arrangement that he had with the employer was a series of one-day assignments. He cannot be considered have quit his job, especially since he was told that he was about to be laid off.

DECISION:

The unemployment insurance decision dated September 29, 2005, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

saw/kjw