

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAVID M KLOPPENBURG
Claimant

APPEAL NO. 09A-UI-01812-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEMP ASSOCIATES
Employer

**Original Claim: 11/23/08
Claimant: Appellant (2)**

Section 96.5(1)j –Temporary Employment

STATEMENT OF THE CASE:

David Kloppenburg filed an appeal from a representative's decision dated February 2, 2009, reference 01, which denied benefits based on his separation from Temp Associates. After due notice was issued, a hearing was held by telephone on April 10, 2009. Mr. Kloppenburg participated personally and offered additional testimony from Penny Kloppenburg. Exhibit A was admitted on Mr. Kloppenburg's behalf. The employer participated by Mike Thomas, Account Manager.

ISSUE:

At issue in this matter is whether Mr. Kloppenburg was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Kloppenburg began working for Temp Associates on August 28, 2008 and was assigned to work full time for J C Hoffman Cabinetry. He was laid off from the assignment due to lack of work on November 21. He called Temp Associates the same day to advise of the layoff. He was also in contact with Temp Associates by telephone on November 25 and November 26. Mr. Kloppenburg has not been offered further work by Temp Associates since his assignment ended on November 21, 2008.

REASONING AND CONCLUSIONS OF LAW:

Mr. Kloppenburg was hired for placement in temporary work assignments. It appears undisputed that he completed his last assignment with J C Hoffman Cabinetry, as he worked until his services were no longer needed. He notified Temp Associates of the completion of the assignment within three working days of its completion. The assignment ended on November 21 and he was in contact with Temp Associates the same day. In fact, he was in contact with the agency again on November 25 and 26.

Inasmuch as Mr. Kloppenburg notified Temp Associates within three working days of the completion of his assignment and was not offered further work, he is entitled to job insurance benefits pursuant to Iowa Code section 96.5(1)j.

DECISION:

The representative's decision dated February 2, 2009, reference 01, is hereby reversed. Mr. Kloppenburg was separated from Temp Associates on November 21, 2008 for no disqualifying reason. Benefits are allowed, provided, he satisfies all other conditions of eligibility.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw