

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CAMERON E ANDERSON**  
Claimant

**APPEAL NO: 13A-UI-11122-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MANPOWER INC OF DES MOINES**  
Employer

**OC: 09/01/13**  
**Claimant: Appellant (1)**

Section 96.5-1-j – Voluntary Quit/Assignment Completion  
871 IAC 24.25(2) – Move to a Different Locality

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated September 23, 2013, reference 01, that held he voluntarily quit without good cause attributable to his employer on March 15, 2013, and benefits are denied. A telephone hearing was held on October 23, 2013. The claimant participated. Nancy Lundgren, Staffing Specialist, participated for the employer.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The employer is a temporary employment firm. The claimant worked a three-day assignment for the employer and began a temporary assignment at Pioneer beginning September 24, 2012. He worked as a full-time production employee. He completed the assignment on March 25, 2013.

The employer talked with claimant about further work assignment, but he stated he was moving to California and declined it. Claimant moved on March 30.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department, but the individual shall not be disqualified if the department finds that:

j. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm of completion of an employment assignment and who seeks reassignment. Failure of the individual to notify the temporary employment firm of completion of an employment assignment within three working days of the completion of each employment assignment under a contract of hire shall be deemed a voluntary quit unless the individual was not advised in writing of the duty to notify the temporary employment firm upon completion of an employment assignment or the individual had good cause for not contacting the temporary employment firm within three working days and notified the firm at the first reasonable opportunity thereafter.

To show that the employee was advised in writing of the notification requirement of this paragraph, the temporary employment firm shall advise the temporary employee by requiring the temporary employee, at the time of employment with the temporary employment firm, to read and sign a document that provides a clear and concise explanation of the notification requirement and the consequences of a failure to notify. The document shall be separate from any contract of employment and a copy of the signed document shall be provided to the temporary employee.

For the purposes of this paragraph:

(1) "Temporary employee" means an individual who is employed by a temporary employment firm to provide services to clients to supplement their work force during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.

(2) "Temporary employment firm" means a person engaged in the business of employing temporary employees.

871 IAC 24.25(2) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(2) The claimant moved to a different locality.

The administrative law judge concludes the claimant voluntarily quit without good cause attributable to her employer when he completed his assignment on March 25, 2013, and rejected further work due to moving out of state.

Although claimant completed his last work assignment, he was obligated to continue employment by inquiring and being available for further work. His decision to decline further work by moving to California is a voluntary quit without good cause.

**DECISION:**

The department decision dated September 23, 2013, reference 01, is affirmed. The claimant voluntarily quit without good cause attributable to the employer on March 25, 2013. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times his weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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