

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CYLE W WELSCH**

Claimant

**APPEAL NO. 09A-UI-03875-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**

Employer

**OC: 01/04/09**

**Claimant: Appellant (2)**

Section 96.5(1)j – Temporary Employment

**STATEMENT OF THE CASE:**

Cyle Welsch filed an appeal from a representative's decision dated February 26, 2009, reference 01, which denied benefits based on his separation from Team Staffing Solutions, Inc. After due notice was issued, a hearing was held by telephone on April 6, 2009. Mr. Welsch participated personally. The employer participated by Sarah Fiedler, Claims Administrator. The hearing was recessed pending receipt of telephone records from Mr. Welsch. The hearing was rescheduled for May 13, 2009. The employer again participated by Ms. Fiedler. Mr. Welsch was unable to participate because of a prior commitment but had not requested postponement of the hearing. As of the date of the May 13 hearing, the telephone records had not been received.

**ISSUE:**

At issue in this matter is whether Mr. Welsch 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. Welsch began working for Team Staffing Solutions, Inc., a temporary placement firm, on November 11, 2008. He was assigned to work full time for Norfolk Iron and Metal. The assignment ended on December 4. Mr. Welsch was notified of the end of the assignment by Team Staffing Solutions, Inc. by telephone on December 5.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Welsch became separated from employment on December 4, 2008 because his temporary assignment ended. He did not contact Team Staffing Solutions, Inc. within three working days of the end of the assignment. However, it was the employer that notified him that the assignment was over. Therefore, the employer already knew he was available for reassignment. Mr. Welsch cannot be disqualified for not contacting the employer to provide information the employer had just provided to him. For the above reasons, his failure to contact

Team Staffing Solutions within three days of December 4, 2008 will not result in disqualification under Iowa Code section 96.5(1)j.

**DECISION:**

The representative's decision dated February 26, 2009, reference 01, is hereby reversed. Mr. Welsch was separated from Team Staffing Solutions, Inc. on December 4, 2008 for no disqualifying reason. Benefits are allowed, provided he is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs