

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**JACKIE R MASTERS  
922 EUCLID AVE  
DES MOINES IA 50313**

**EXPRESS SERVICES INC  
PO BOX 720660  
OKLAHOMA CITY OK 73172**

**Appeal Number: 05A-UI-03110-CT  
OC: 02/13/05 R: 02  
Claimant: Respondent (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Express Services, Inc. filed an appeal from a representative's decision dated March 17, 2005, reference 03, which held that no disqualification would be imposed regarding Jackie Masters' separation from employment. After due notice was issued, a hearing was held by telephone on April 13, 2005. Ms. Masters participated personally. The employer participated by B. J. Butler, Personnel Supervisor.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Masters began working for Express Services, Inc., a

temporary placement firm, on October 12, 2004. Prior to filing her claim for job insurance benefits effective February 13, 2005, she had last worked at Rain & Hail Insurance. She worked on the assignment full time from January 7 until January 20, 2005 when it ended. She was given a letter advising of the release. The letter advised that she needed to contact Express Services, which she did on January 20. Ms. Masters left a message on that date but it was not returned. She had not been given notice that she had three working days in which to seek reassignment following the end of her assignment.

Ms. Masters was in contact with Express Services on March 16 and returned to Rain & Hail Insurance on March 17, 2005. She is still working full time on the assignment.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Masters was separated from employment for any disqualifying reason. She was hired for placement in temporary work assignments. An individual so employed must complete her last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19). Ms. Masters completed her last assignment on January 20, 2005 and was in immediate contact with Express Services the same day. Even if she had not made contact within three working days after January 20, there would still be no basis for disqualification. She had not been provided written notice that she had three working days in which to seek reassignment as required by Iowa Code section 96.5(1)j. Inasmuch as no further work was offered on January 20, no disqualification is imposed.

#### DECISION:

The representative's decision dated March 17, 2005, reference 03, is hereby affirmed. Ms. Masters was separated from Express Services, Inc. for no disqualifying reason. Benefits are allowed, provided she satisfies all other conditions of eligibility.

cfc/sc