

**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**

**TAMARA S MIDEY
1922 RIVER VISTA RD
MUSCATINE IA 52761**

**TEAM STAFFING SOLUTIONS INC
116 HARRISON ST
MUSCATINE IA 52761**

**Appeal Number: 05A-UI-07970-CT
OC: 07/03/05 R: 04
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, 4th 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.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Team Staffing Solutions, Inc. filed an appeal from a representative's decision dated July 27, 2005, reference 01, which held that no disqualification would be imposed regarding Tamara Midey's separation from employment. After due notice was issued, a hearing was held by telephone on August 22, 2005. Ms. Midey participated personally. The employer participated by Bill Ramsey, Claims Specialist. Exhibit One was admitted on the employer's behalf.

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: Ms. Midey began working through Team Staffing

Solutions, Inc., a temporary placement firm, on December 1, 2004. She was placed with All Steel Distribution Warehouse, where she worked full time until June 29, 2005. She was released from the assignment because of her attendance. Ms. Midey was in contact with Team Staffing Solutions, Inc. on June 30 regarding further work assignments. No further work was offered to her at that time.

Ms. Midey first contacted Team Staffing Solutions, Inc. for work in October of 2003. On October 13, 2003, she signed a document advising that she had to seek reassignment within three working days of the end of an assignment. Ms. Midey was not placed on any assignments until August of 2004. She did not sign any additional documents when placed in August.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Midey 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. 871 IAC 24.26(19). Ms. Midey's assignment ended at the request of the employer's client company. Therefore, it must be concluded that she completed the assignment.

The next issue is whether Ms. Midey sought reassignment within three working days as required by Iowa Code section 96.5(1)j. She did, in fact, seek reassignment on June 30, the day following her last day worked. Inasmuch as no work was offered to her at that point, benefits are allowed.

DECISION:

The representative's decision dated July 27, 2005, reference 01, is hereby affirmed. Ms. Midey was separated from employment for no disqualifying reason. Benefits are allowed, provided she satisfies all other conditions of eligibility.

cfc/pjs