

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

STEPHANIE K MASSAWE
1562 – 340TH ST
MANLY IA 50456-8006

EXPRESS SERVICES INC
PO BOX 720660
OKLAHOMA CITY OK 73172

Appeal Number: 06A-UI-03908-CT
OC: 10/02/05 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, 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:

Express Services, Inc. filed an appeal from a representative's decision dated March 31, 2006, reference 03, which held that no disqualification would be imposed regarding Stephanie Massawe's separation from employment. After due notice was issued, a hearing was held by telephone on May 2, 2006. Ms. Massawe participated personally. The employer participated by Connie Cooper, Owner.

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. Massawe began working through Express

Services, Inc., a temporary placement firm, in May of 2005. On December 14, she accepted a full-time assignment with Principal Financial. She was notified on March 7, 2006 that the assignment was over. Ms. Massawe was in contact with Express Services, Inc. on March 8 but no work was offered at that time. She filed an additional claim for job insurance benefits effective March 5, 2006.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Massawe was separated from employment for any disqualifying reason. She was hired for placement in temporary work assignments. An individual so employed must complete the last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19). Ms. Massawe completed an assignment on March 7, 2006. She sought reassignment on March 8, as required by Iowa Code section 96.5(1)j. She was not provided additional work at that time and, therefore, was unemployed through no fault of her own. Accordingly, benefits are allowed on her additional claim filed effective March 5, 2006. The administrative law judge notes that all claims are backdated to the Sunday of the week in which the application is filed.

DECISION:

The representative's decision dated March 31, 2006, reference 03, is hereby affirmed. Ms. Massawe was separated from Express Services, Inc. on March 7, 2006 for no disqualifying reason. Benefits are allowed, provided she satisfies all other conditions of eligibility.

cfc/tjc