

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEBRA COLE
Claimant

APPEAL NO. 06A-UI-11673-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SPHERION ATLANTIC WORKFORCE LLC
Employer

OC: 01/15/06 R: 02
Claimant: Appellant (1)

Section 96.5-1-j - Voluntary Quit of Temporary Employment

STATEMENT OF THE CASE:

Debra Cole (claimant) appealed an unemployment insurance decision dated November 30, 2006, reference 04, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Spherion Atlantic Workforce (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on December 20, 2006. The claimant participated in the hearing. The employer participated through Jan York, Operations Manager. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time customer service representative for this temporary employment agency from May 22, 2006 through September 23, 2006 when she walked off the job. She quit her assignment because she felt the stress of the work environment was causing health problems. She never informed her employer of any medical problems she was experiencing as a result of the assignment and never contacted the employer to request additional work. At the time of hire, she was informed of the requirement to notify the employer of her availability after the completion of an assignment.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if she voluntarily quit without good cause attributable to the employer or if the employer discharged her for work-connected misconduct. Iowa Code

§§ 96.5-1 and 96.5-2-a. An individual who is a temporary employee of a temporary employment firm may be disqualified from receiving unemployment insurance benefits if the individual does not notify the temporary employment firm within three working days after ending a job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise the individual in writing of the three-day notification rule. The employer must also notify the individual that she may be disqualified from receiving unemployment insurance benefits if she fails to notify the employer. Iowa Code § 96.5-1-j.

The evidence indicates the claimant was given the information and should have known she was required to notify the employer of her availability after she quit her assignment so the employer could assign her to another job. She notified the employer she walked off the job but did not inform the employer of her availability. Based on the reasons she quit her employment, the employer would not assume the claimant wanted another assignment unless she made that request. The claimant did not satisfy the requirements of Iowa Code § 96.5-1-j and is disqualified from receiving unemployment insurance benefits.

DECISION:

The unemployment insurance decision dated November 30, 2006, reference 04, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/css