

**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**

**DAVID A REED  
1617 OLD MUSCATINE RD  
TIPTON IA 52772-9318**

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

**Appeal Number: 06A-UI-06281-CT  
OC: 05/07/06 R: 04  
Claimant: Appellant (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) – Voluntary Quit

STATEMENT OF THE CASE:

David Reed filed an appeal from a representative's decision dated June 6, 2006, reference 02, which denied benefits based on his separation from Team Staffing Solutions, Inc. After due notice was issued, a hearing was held by telephone on July 10, 2006. Mr. Reed participated personally. The employer participated by Brad Reed, Human Resources Assistant.

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. Reed began working for Team Staffing Solutions, Inc., a temporary placement firm, on August 3, 2005 and was assigned to work

full-time for CDS in Tipton, Iowa. The assignment was originally scheduled to last until the end of December of 2005 but was extended. Mr. Reed knew when he accepted the assignment that he could be working as many as 60 hours per week.

Mr. Reed last worked on the assignment on February 14, 2006. He was then out of town due to a death in the family. He did not notify either Team Staffing or CDS that he would be absent after February 14. He decided not to return to the assignment because his applications to become a CDS employee were rejected. He also did not want to work the overtime required of the assignment. Continued work would have been available if he had not quit.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Reed was separated from employment for any disqualifying reason. He 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). Because he did not complete his assignment with CDS, Mr. Reed's separation is considered a voluntary quit. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1).

Mr. Reed quit his job with Team Staffing because he had not been hired to become a regular employee with CDS. Whether CDS hired him was not a matter within the control of Team Staffing. The fact that he was disgruntled with CDS's hiring decisions did not constitute good cause attributable to Team Staffing for quitting. The other reason for his quit was the fact that he no longer wanted to work 60 hours per week as sometimes required by CDS. However, Mr. Reed knew when he accepted the assignment that it could require working as many as 60 hours per week. Therefore, the fact that he no longer wanted to work those hours did not constitute good cause attributable to the employer for quitting.

After considering all of the evidence and the contentions of the parties, the administrative law judge concludes that Mr. Reed did not have good cause attributable to Team Staffing for quitting. Accordingly, benefits are denied.

#### DECISION:

The representative's decision dated June 6, 2006, reference 02, is hereby affirmed. Mr. Reed voluntarily quit his employment for no good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

cfc/pjs