

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ERIC T MASSEY

Claimant

APPEAL NO. 09A-UI-15539-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

R J PERSONNEL INC

Employer

**Original Claim: 09/20/09
Claimant: Respondent (1)**

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Temp Associates filed an appeal from a representative's decision dated October 12, 2009, reference 01, which held that no disqualification would be imposed regarding Eric Massey's separation from employment. After due notice was issued, a hearing was held by telephone on November 18, 2009. Mr. Massey participated personally. The employer participated by Mike Thomas, Account Manager, and Gina Othmer, Receptionist.

ISSUE:

At issue in this matter is whether Mr. Massey was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Massey began working through Temp Associates in December of 2007. On June 23, 2008, he began an assignment with Musco Lighting where he worked full-time. On or about July 10, 2009, he notified Temp Associates that he was going to be laid off on July 17, 2009. He indicated he only wanted to work for Musco Lighting. He subsequently returned to Musco Lighting on October 26, 2009 and was still on the assignment as of the date of the hearing. Temp Associates did not offer him other work during the interim between July 17 and October 26.

REASONING AND CONCLUSIONS OF LAW:

Mr. Massey completed an assignment on July 17, 2009 and had already given Temp Associates notice that he would be laid off as of that date. Inasmuch as he completed the assignment, his separation at that point was not a disqualifying event. Although he said he only wanted to work for Musco Lighting, Temp Associates never offered him work with a different company to see if he had changed his mind. Therefore, there is no issue to adjudicate concerning a refusal of work.

For the reasons cited herein, the administrative law judge concludes that Mr. Massey was separated from employment on July 17, 2009 for no disqualifying reason. Accordingly, benefits are allowed.

DECISION:

The representative's decision dated October 12, 2009, reference 01, is hereby affirmed. Mr. Massey was separated from Temp Associates on July 17, 2009 for no disqualifying reason. Benefits are allowed, provided he is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw