

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BONITA L GALVEZ

Claimant

APPEAL NO. 07A-UI-02811-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC

Employer

**OC: 01/28/07 R: 03
Claimant: Respondent (1)**

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Labor Ready Midwest, Inc. filed an appeal from a representative's decision dated March 5, 2007, reference 02, which held that no disqualification would be imposed regarding Bonita Galvez' separation from employment. After due notice was issued, a hearing was held by telephone on April 5, 2007. Ms. Galvez participated personally. The employer participated by Kim Thompson, Operations Specialist, and Pia Kirchhoff, Branch Manager.

ISSUE:

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

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. Galvez began working through Labor Ready Midwest, Inc., a temporary placement firm, on September 6, 2005. She completed a one-day assignment with Paint Pros on February 1, 2007. Ms. Galvez reported to the Labor Ready offices on February 2 and signed in. She indicated she could not work that day because she had a job interview. She indicated she was only available to work in the evening that day. She was not offered evening work for February 2.

Ms. Galvez did not return to Labor Ready after February 2 because she accepted full-time employment with Swift & Company. She began the new employment on February 5, 2007.

REASONING AND CONCLUSIONS OF LAW:

Ms. Galvez 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. Galvez completed her last assignment on February 1, 2007 and was in contact with Labor Ready the following day. She sought reassignment on that date but only for work she could perform during evening hours as she had a job interview that day. Labor Ready did not assign her any work on February 2.

Ms. Galvez completed her last assignment and sought reassignment within three working days of the end of the assignment. Therefore, she has satisfied the provisions of Iowa Code section 96.5(1)j. She was not required to continue seeking work through Labor Ready once she sought reassignment on February 2. For the reasons cited herein, no disqualification is imposed.

DECISION:

The representative's decision dated March 5, 2007, reference 02, is hereby affirmed. Ms. Galvez was separated from employment for no disqualifying reason. Benefits are allowed, provided she satisfies all other conditions of eligibility.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs