

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SHERRI PARKER**  
Claimant

**APPEAL NO. 08A-UI-08069-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**  
Employer

**OC: 06/2908 R: 03  
Claimant: Respondent (1)**

871 IAC 24.26(22) - Temporary Work Assignments

**STATEMENT OF THE CASE:**

Express Services, Inc. (employer) appealed an unemployment insurance decision dated September 3, 2008, reference 01, which held that Sherri Parker (claimant) was eligible for unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on September 24, 2008. The claimant participated in the hearing. The employer participated through Rhonda Hall, Staffing Consultant. 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 reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds that: The claimant was hired as a temporary clerical worker in April 2005 and began her first assignment in July 2005. At the time of hire, the employer did not have a separate notification policy and the claimant has not been advised in writing of her notification requirements. She was hired for a temporary assignment that began December 10, 2007 and ended on January 11, 2008. The claimant worked until the completion of her contract. She continues to be employed with this employer and has completed assignments as recently as last week.

**REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

871 IAC 24.26(22) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(22) The claimant was hired for a specific period of time and completed the contract of hire by working until this specific period of time had lapsed. However, this subrule shall not apply to substitute school employees who are subject to the provisions of Iowa Code section 96.4(5) which denies benefits that are based on service in an educational institution when the individual declines or refuses to accept a new contract or reasonable assurance of continued employment status. Under this circumstance, the substitute school employees shall be considered to have voluntarily quit employment.

The evidence demonstrates the claimant completed her contract of hire. The completion of a temporary employment assignment, regardless of whether the claimant reported for a new assignment, is deemed to be a separation other than a voluntary quit. The claimant's separation from employment was with good cause attributable to the employer and benefits are allowed.

**DECISION:**

The unemployment insurance decision dated September 3, 2008, reference 01, is affirmed. The claimant's separation from employment is with good cause attributable to the employer and benefits are allowed, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/kjw