

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CLYDE D HARRINGTON**  
Claimant

**APPEAL NO. 12A-UI-09901-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**  
Employer

**OC: 01/22/12**  
**Claimant: Appellant (2)**

Section 96.5-1-j – Voluntary Quit/Failure to Seek Re-Assignment

**STATEMENT OF THE CASE:**

The claimant appealed from a representative's decision dated August 9, 2012, reference 06, that held he voluntarily quit without good cause for failing to seek re-assignment on July 11, 2012, and which denied benefits. A telephone hearing was held on September 10, 2012. The claimant participated. The employer did not participate. Claimant Exhibit A was received as evidence.

**ISSUE:**

Whether claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the witness testimony and having considered the evidence in the record finds that: The claimant began work on assignment at Superior Tube beginning March 20, 2012, and he last worked as a full-time CNC operator on July 13. He was told he completed the job assignment by the employer on July 13, and he requested his name be placed on the ready to work list. He was told the employer did not have a resume, so he personally visited the employer with it on July 16. He also signed up on the work list. The employer did not offer further work to him at that time and has not as of the date of this hearing.

The employer failed to respond to the hearing notice.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j 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, but the individual shall not be disqualified if the department finds that:

j. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm of completion of an employment assignment and who seeks reassignment. Failure of the individual to notify the temporary employment firm of completion of an employment assignment within three working days of the completion of each employment assignment under a contract of hire shall be deemed a voluntary quit unless the individual was not advised in writing of the duty to notify the temporary employment firm upon completion of an employment assignment or the individual had good cause for not contacting the temporary employment firm within three working days and notified the firm at the first reasonable opportunity thereafter.

To show that the employee was advised in writing of the notification requirement of this paragraph, the temporary employment firm shall advise the temporary employee by requiring the temporary employee, at the time of employment with the temporary employment firm, to read and sign a document that provides a clear and concise explanation of the notification requirement and the consequences of a failure to notify. The document shall be separate from any contract of employment and a copy of the signed document shall be provided to the temporary employee.

For the purposes of this paragraph:

(1) "Temporary employee" means an individual who is employed by a temporary employment firm to provide services to clients to supplement their work force during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.

(2) "Temporary employment firm" means a person engaged in the business of employing temporary employees.

The administrative law judge concludes the claimant voluntarily quit with good cause attributable to his employer when he completed his job assignment on July 13, 2012, and contacted the employer for work within three days from assignment completion.

The claimant completed his work assignment and contacted the employer within three working days to make him available for further work.

**DECISION:**

The department decision dated August 9, 2012, reference 06, is reversed. The claimant voluntarily quit with good cause on July 13, 2012. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/kjw