

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARTHA G MENDOZA

Claimant

APPEAL NO. 10A-UI-00303-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ADVANCE SERVICES INC

Employer

OC: 11/22/09

Claimant: Appellant (2)

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Martha Mendoza filed an appeal from a representative's decision dated January 5, 2010, reference 01, which denied benefits based on her separation from Advance Services, Inc. (ASI). After due notice was issued, a hearing was held by telephone on February 18, 2010. Ms. Mendoza participated personally. The employer participated by Scott McKenzie, Retention Coordinator. Exhibits One, Two, and Three were admitted on the employer's behalf. Isaura Broste participated as the interpreter.

ISSUE:

At issue in this matter is whether Ms. Mendoza 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: Ms. Mendoza began working through ASI, a temporary placement service, on July 6, 2009. She was assigned to work full time at Syngenta. Her last day at work was November 25, 2009. The ASI office was closed for the Thanksgiving holiday on November 26 but was open on November 27. Ms. Mendoza went into the ASI office on November 30 and gave notice that her assignment had ended. She later started a new assignment on January 10, 2010.

REASONING AND CONCLUSIONS OF LAW:

Ms. Mendoza was hired for placement in temporary work assignments. An individual so employed must complete her last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19), (22). It is undisputed that Ms. Mendoza completed her assignment with Syngenta. It is also undisputed that she was in contact with ASI the second working day following the end of the assignment. Inasmuch as she gave notice that her assignment had ended within three working days of when it ended, she is allowed benefits pursuant to Iowa Code section 96.5(1)j.

DECISION:

The representative's decision dated January 5, 2010, reference 01, is hereby reversed. Ms. Mendoza was separated from ASI on November 30, 2009 for no disqualifying reason. Benefits are allowed, provided she is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs