

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MONIQUE L WRIGHT**  
Claimant

**APPEAL NO. 11A-UI-11736-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AVENTURE STAFFING & PROFESSIONAL**  
Employer

**OC: 07/31/11**  
**Claimant: Appellant (1)**

Section 96.5(1)j – Quit/Temporary

**STATEMENT OF THE CASE:**

The claimant, Monique Wright, filed an appeal from a decision dated August 29, 2011, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on September 29, 2011. The claimant participated on her own behalf and with Chemeka Davis and Lasondra Wright. The employer, Aventure, participated by Office Manager Syd Hall and Employee Service Representative Danielle Wigen. Exhibit One was admitted into the record.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Monique Wright was employed by Aventure from October 1, 2010 until August 3, 2011. She was assigned to Jack Link during that entire time. The client company's supervisor Marty walked her out of the building because of policy violation.

The claimant contacted Employee Services Representative Danielle Wigen on August 3, 2011, but did not request a new assignment. She merely asked that her last paycheck be mailed to her and mentioned that her assignment at Jack Link had been ended, and Ms. Wigen indicated she had been notified by the client company.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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 parties are in agreement that the claimant's assignment ended on July 29, 2011, at the request of the client company. They are also in agreement that Ms. Wright did call on August 3, 2011, which was within the three-day time period required to notify the employer of the end of an assignment. But the employer has no record of her asking for more work, only for her paycheck to be mailed to her rather than having to pick it up at the office.

The claimant has not met her burden of proof to establish she did request another assignment on August 3, 2011. Without proof of a request for more work the claimant is considered to have quit work voluntarily under the provisions of the above Code section. She is disqualified.

**DECISION:**

The representative's decision of August 29, 2011, reference 01, is affirmed. Monique Wright is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs