

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ARDELL REEVES
Claimant

APPEAL NO. 07A-UI-04755-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC
Employer

**OC: 04/08/07 R: 03
Claimant: Appellant (2)**

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Ardell Reeves filed an appeal from a representative's decision dated May 2, 2007, reference 02, which denied benefits based on her separation from Team Staffing Solutions, Inc. After due notice was issued, a hearing was held by telephone on May 29, 2007. Ms. Reeves participated personally and Exhibit A was admitted on her behalf. The employer participated by Sarah Fiedler, Administrative Assistant.

ISSUE:

At issue in this matter is whether Ms. Reeves 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. Reeves began working through Team Staffing Solutions, Inc. in May of 2006. On August 11, 2006, she was placed in a "temp-to-hire" assignment with Alpla. She worked full time hours. On April 5, 2007, Ms. Reeves was discharged from the assignment when the supervisor told her to leave and that she was not wanted there anymore. The discharge was due to the fact that the supervisor felt she failed to notice a malfunction on the line.

Ms. Reeves left a letter for Team Staffing Solutions, Inc. on April 6. The letter was left in the drop box after hours and was not received until April 9. The letter indicated she had been sent home by Bobby at Alpla and that she wanted a new assignment. A representative called on April 9 and told her she would be called when work was available. The next contact was on April 19 when Ms. Reeves was called about a new assignment. She advised the employer that she had found other work.

REASONING AND CONCLUSIONS OF LAW:

Ms. Reeves 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). The administrative law judge concludes that Ms. Reeves completed her assignment with Alpla as she worked until asked to leave on April 5. She notified her employer that she had been sent home on April 5. The employer did not confirm with Alpla whether she had, in fact, been sent home by Bobby as indicated in her letter dated April 6. The evidence does not establish any misconduct on Ms. Reeves' part as the basis of her discharge from Alpla. For the above reasons, the administrative law judge concludes that she was separated from employment on April 5, 2007 for no disqualifying reason.

Ms. Reeves was in contact with Team Staffing Solutions, Inc. by letter on April 6. In the letter, she asked for a new assignment. The letter was received by the employer on April 9. Therefore, it must be concluded that Ms. Reeves sought reassignment within three working days of the end of her assignment with Alpla on April 5. As such, she is entitled to benefits pursuant to Iowa Code section 96.5(1)j.

DECISION:

The representative's decision dated May 2, 2007, reference 02, is hereby reversed. Ms. Reeves was separated from employment on April 5, 2007 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/css