

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**LINSEY M ALEXANDER**  
Claimant

**APPEAL NO. 17A-UI-07909-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MANPOWER INTERNATIONAL INC**  
Employer

**OC: 06/25/17**  
**Claimant: Respondent (4)**

Iowa Code § 96.5(1)j – Voluntary Quitting – Temporary Employment

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated July 25, 2017, reference 02, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on August 21, 2017. Claimant participated personally. Employer participated by Jennifer Brown. Employer's Exhibits 1-3 were admitted into evidence

**ISSUE:**

Did the claimant quit by not reporting for an additional work assignment within three business days of the end of the last assignment?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed temp-to-hire at Marsh and McClennon from October, 2016, and was hired full time by Marsh and McClennon, on January 24, 2017. Claimant stated that she emailed employer two weeks before her permanent hire. Employer showed no documentation of claimant calling employer within three days of the ending of her assignment.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant's separation does not disqualify claimant from the receipt of benefits and isn't chargeable to employer's account.

Iowa Admin. Code r. 871-24.28(5) provides:

Voluntary quit requalifications and previously adjudicated voluntary quit issues.

(5) The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or better employment, which the claimant did accept, and from which the claimant is separated, before or after

having started the new employment. The employment does not have to be covered employment and does not include self-employment.

Iowa Admin. Code r. 871-23.43(5) provides:

(5) Sole purpose. The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or better employment, which the claimant did accept, and from which the claimant is separated, before or after having started the new employment. No charge shall accrue to the account of the former voluntarily quit employer.

As claimant quit her work for the sole purpose of taking other employment, and actually worked at the new job, claimant is eligible to receive unemployment benefits, and employer's account is not chargeable for benefits received.

**DECISION:**

The decision of the representative dated July 25, 2017, reference 02, is modified. Claimant is eligible to receive unemployment insurance benefits, provided claimant meets all other eligibility requirements. Employer's account will not be charged for benefits received by claimant.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/rvs