

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

JAMIE C DAY
1020 TWIXTOWN RD NE #3
CEDAR RAPIDS IA 52402

TEAM STAFFING SOLUTIONS INC
116 HARRISON ST
MUSCATINE IA 52761

Appeal Number: 06A-UI-01535-CT
OC: 01/01/06 R: 03
Claimant: Appellant (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1)j – Temporary Employment

STATEMENT OF THE CASE:

Jamie Day filed an appeal from a representative's decision dated January 30, 2006, reference 03, which denied benefits based on her separation from Team Staffing Solutions, Inc. After due notice was issued, a hearing was held by telephone on February 27, 2006. Ms. Day participated personally. The employer participated by Bill Ramsey, Claims Specialist, and Summer Stuter, Account Manager.

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. Day began working for Team Staffing Solutions, Inc. on November 1, 2005, and was assigned to work full time for Kenwood Records. The

assignment ended on December 15. On December 16, Ms. Day was notified that she was not to return to the assignment. Ms. Day notified the employer that she planned on being out of town for a couple of weeks and would call upon her return if she was interested in further work.

Ms. Day was out of town for a family visit in Colorado beginning December 21. She returned to Iowa on January 2. She did not contact Team Staffing Solutions, Inc. for work until January 16. Ms. Day signed a document at the time of hire advising that she had to seek reassignment within three working days of the end of an assignment or she would be considered a voluntary quit.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Day was separated from employment for any disqualifying reason. She 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). Ms. Day completed her last assignment on December 15, 2005. She had been provided written notice that she had to seek reassignment within three working days of the end of an assignment. Ms. Day gave notice that she would be unavailable for work for a period of time because she was going out of town. However, she returned to Iowa on January 2 but did not seek reassignment until January 15. Although Ms. Day had good cause for not contacting the employer within three days of December 15, she did not have good cause for not making contact within a reasonable amount of time after January 2. The administrative law judge does not consider a delay of two weeks to be reasonable.

Because Ms. Day did not seek reassignment with Team Staffing Solutions, Inc. within a reasonable amount of time after her return to Iowa, her separation from the employment constituted a voluntary quit without good cause attributable to the employer, which is a disqualifying event. Accordingly, benefits are denied.

DECISION:

The representative's decision dated January 30, 2006, reference 03, is hereby affirmed. Ms. Day quit her employment with Team Staffing Solutions, Inc. for no good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

cfc/kjw