

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JOSE CUEVAS RAMOS**

Claimant

**APPEAL NO. 12A-UI-02102-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADVANCE SERVICES INC**

Employer

**OC: 04/18/10**

**Claimant: Appellant (1)**

Section 96.5(1)j – Quit/Temporary

**STATEMENT OF THE CASE:**

The claimant, Jose Cuevas-Ramos, filed an appeal from a decision dated February 22, 2012, reference 04. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on April 3, 2012. The claimant participated on his own behalf and Anna Pottebaum acted as interpreter. The employer, Advance Services, participated by Unemployment Specialist Michael Payne.

**ISSUE:**

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

**FINDINGS OF FACT:**

Jose Cuevas-Ramos was employed by Advance Services from July 11 until October 14, 2011. He had one assignment during this time at Dean Foods. Dean Foods ended his assignment on October 14, 2011. He contacted Rachelle at the employer's local office only to say the assignment had ended but did not ask for more work.

At the time he was hired, Mr. Cuevas-Ramos received, and signed, a document that notified him he must contact Advance Services within three days of the end of any assignment to request more work. Failure to do so could compromise his unemployment. It was not until October 25, 2011, the claimant called to ask for more work and he was offered a job, which he then refused.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 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 claimant was notified of the necessity to contact the temporary agency within three working days of the end of any assignment to request more work. He failed to do this. Merely notifying the agency the assignment had ended is not the same and indicating he was seeking more work. Under the provisions of the above Code section, this is a voluntary quit without good cause attributable to the employer and the claimant is disqualified.

**DECISION:**

The representative's decision of February 22, 2012, reference 04, is affirmed. Jose Cuevas-Ramos is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount in insured work, provided he is otherwise eligible.

---

Bonny G. Hendricksmeyer  
Administrative Law Judge

---

Decision Dated and Mailed

bgh/kjw