

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JUSTIN M CARDER**  
Claimant

**APPEAL NO. 09A-UI-19622-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DENNIS NEWEL**  
Employer

**Original Claim: 08/23/09  
Claimant: Respondent (1)**

871 IAC 24.26(19) –Nondisqualifying Temporary Assignment

**STATEMENT OF THE CASE:**

The employer filed an appeal from a representative's decision dated December 21, 2009, reference 04, which held the claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on February 10, 2010. The claimant did respond to the hearing notice and provided a telephone at which he could be reached. When that number was dialed, the individual who answered the phone identified herself as the claimant's girlfriend and said that he was home. She said she would be home later that afternoon and asked if he could call then. The administrative law judge indicated that the hearing was taking place now and would not be rescheduled. The employer did not respond to the hearing notice and did not participate. The decision is based on the records available in the agency file and agency wage records.

**ISSUE:**

Whether the claimant was discharged for work-connected misconduct or whether the claimant completed a temporary assignment.

**FINDINGS OF FACT:**

The administrative law judge, having reviewed the agency record, makes the following findings of fact:

The claimant worked for the employer and was paid wages during the first three quarters of 2009. He was given a temporary assignment from November 17, 2009, which ended on November 24, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

The evidence in this case established that the employer hired the claimant on a temporary basis for seven days. There is no evidence that the claimant did not complete the temporary assignment satisfactorily. 871 IAC 24.26(19). The employer, when it appealed the decision, stated that the claimant was supposed to work until November 27, 2009, and that he was a no-call/no-show on November 25, 2009. The employer did not respond to the hearing notice

and there is no testimony to corroborate the statements in the letter. The representative indicated that the temporary assignment was from November 17, 2009 and ended on November 24, 2009, which is one day before the no-call/no-show. It cannot be concluded, therefore, that the claimant failed to complete the temporary assignment.

For unemployment insurance purposes, the claimant did not quit and the employer did not discharge him when the claimant satisfactorily completed the temporary assignment. Therefore, this one-week job with the employer does not disqualify the claimant from receiving benefits.

Since the employer is one of the claimant's base period employers, the employer's account will be charged for any benefits the claimant may receive during his current benefit year.

**DECISION:**

The representative's decision dated December 21, 2009, reference 04, is affirmed. Unemployment insurance benefits are allowed, provided the claimant is otherwise eligible.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/kjw