

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TERRY T COBBINS**

Claimant

**APPEAL NO. 10A-UI-05075-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**STAFFING PROFESSIONALS LLC**

Employer

**Original Claim: 02/21/10**

**Claimant: Appellant (1)**

Section 96.5(1)j – Quit/Temporary

**STATEMENT OF THE CASE:**

The claimant, Terry Cobbins, filed an appeal from a decision dated March 31, 2010, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 20, 2010. The claimant participated on his own behalf. The employer, Staffing Professionals, participated by Human Resources Coordinator Stacy Navarro and Recruiting Coordinator Ashley Leydens.

**ISSUE:**

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

**FINDINGS OF FACT:**

Terry Cobbins was employed by Staffing Professionals from October 13, 2008 until February 13, 2010. His last assignment began September 14, 2009, at Reams. On February 22, 2010, a representative from Reams called the employer to say the claimant had been no-call, no-show to work on February 10, 11, and 12, 2010, and it did not want him to return.

The claimant maintained he had been laid off by a supervisor at Reams. He was aware he must call Staffing Professionals and talk with either Shane or Ashley within three days of the end of each assignment but did not do this.

**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 did not contact the Shane or Ashley within three days of the end of his assignment at Reams, even though he knew he must talk to these individuals only. He did not provide any credible explanation for failing to do so. Under the provisions of the above Code section, he is disqualified.

**DECISION:**

The representative's decision of March 31, 2010, reference 01, is affirmed. Terry Cobbins is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

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Bonny G. Hendricksmeyer  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw