

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VICKI S LEE**

Claimant

**APPEAL NO: 11A-UI-11724-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEMP ASSOCIATES – MARSHALLTOWN**

Employer

**OC: 07/03/11**

**Claimant: Respondent (1)**

Section 96.5-1-j – Temporary Employment  
871 IAC 24.26(19),(22) – Temporary Employment

**STATEMENT OF THE CASE:**

Temp Associates – Marshalltown (employer) appealed a representative's August 24, 2011 decision (reference 01) that concluded Vicki S. Lee (claimant) was qualified to receive unemployment insurance benefits after a separation. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on September 29, 2011. The claimant participated in the hearing. Judy Rebik appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Was there a disqualifying separation from employment either through a voluntary quit without good cause attributable to the employer or through a discharge for misconduct?

**FINDINGS OF FACT:**

The employer is a temporary employment firm. After working for the employer briefly in first 2005 and then 2009, the claimant resumed taking assignments with the employer on December 1, 2010. She worked part time (20 – 35 hours per week) with the employer's business client, working daytime hours that fit within the claimant's school schedule. Her last day on the assignment was March 4, 2011. The assignment ended because the employer's business client determined to end it because no further work was available.

The business client had initially thought it might need to have the claimant return for additional work through June; after March 4 the claimant was in essence on an "on-call" status. She was also on a leave of absence from March 8 through May 16 due to a surgery. On May 5 the employer informed the claimant that the business client had determined that it had no further need of the temporary assistance.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not eligible for unemployment insurance benefits if she quit the employment without good cause attributable to the employer or was discharged for work-connected misconduct. Where a claimant is hired for a specific project and completes that contract of hire by working until the specific project has been completed, the separation is not treated as a voluntary quit, and does not result in a disqualification to the claimant. 871 IAC 24.26(19),(22).

Here, the employer did hire the claimant on a temporary basis for a specific project. The claimant completed the contract of hire by working until the business client determined it had no further work for the claimant. The employer was aware of this decision on the part of the employer, but did not offer any additional work to the claimant. 871 IAC 24.26(19). Eligibility for unemployment insurance benefits is not conditioned on whether the employment was permanent or temporary. Benefits are allowed, if the claimant is otherwise eligible.

**DECISION:**

The representative's August 24, 2011 decision (reference 01) is affirmed. The claimant did not voluntarily quit and the employer did discharge the claimant but not for disqualifying reasons. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible. The employer's account is not subject to charge in the current benefit year.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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