

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CARY R LAPOUR
Claimant

APPEAL NO. 10A-UI-02329-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

STAFFING PROFESSIONALS LLC
Employer

OC: 12/27/09
Claimant: Respondent (1)

Section 96.5-1-J - Voluntary Quit of Staffing Company

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated February 9, 2010, reference 01, that concluded the claimant completed his temporary work assignment. A telephone hearing was held on March 26, 2010. The parties were properly notified about the hearing. The claimant participated in the hearing. Stacy Navarro participated in the hearing on behalf of the employer with a witness, Ashley Leydens.

ISSUE:

Did the claimant voluntarily quit employment with the staffing company by failing to contact the employer within three days after the completion of his work assignment?

FINDINGS OF FACT:

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. When the claimant was hired, he signed a statement that he would be considered to have voluntarily quit employment if he did not contact the employer within three working days after the completion of a job assignment and request a new assignment.

The claimant's last assignment was working at Mid-American Recycling from August 3, 2009, to December 23, 2009. Mid-American Recycling asked the claimant be removed from the assignment after he declined to work on a Saturday.

On December 24, the claimant went to the employer's place of business to pick up his paycheck. A staffing coordinator informed the claimant his services were no longer needed at Mid-American Recycling. The claimant asked if the employer had any other work and was told that there was no assignment at that time.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a.

Iowa Code § 96.5-1-j provides that individuals employed by a temporary agency must contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment without good cause attributable to the employer, provided that the employer has given them a statement to read and sign that advises them of these requirements.

The claimant satisfied the requirements of Iowa Code § 96.5-1-j and is not subject to disqualification. There is no proof of any misconduct by the claimant that led to his separation from employment.

DECISION:

The unemployment insurance decision dated February 9, 2010, reference 01, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

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