

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LEE W LONG JR**  
Claimant

**APPEAL NO. 08A-UI-01419-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LABOR READY MIDWEST INC**  
Employer

**OC: 01/06/08 R: 04**  
**Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Lee Long filed an appeal from a representative's decision dated February 8, 2008, reference 02, which denied benefits based on his separation from Labor Ready Midwest, Inc. After due notice was issued, a hearing was held by telephone on February 26, 2008. Mr. Long participated personally. The employer participated by Mark Otterbeck, Branch Manager.

**ISSUE:**

At issue in this matter is whether Mr. Long was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Long began working through Labor Ready, a temporary placement firm, on July 18, 2006. His last assignment involved shoveling snow at a Burger King restaurant. He shoveled snow on December 19, 2007 but did not return to complete the assignment on December 21. He had an interim assignment with Bird Sign on December 20 and completed it.

Mr. Long did not contact the employer for available work at any point through December 28, 2007. He had been provided written notice of the need to seek reassignment within three working days of the end of an assignment.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Long was hired for placement in temporary work assignments. An individual so employed must complete the last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19). Mr. Long accepted an assignment to perform snow removal at Burger King on two separate dates, December 19 and December 21. He failed to report for work or contact the employer on December 21. Therefore, he did not complete his last assignment. As such, his separation is a voluntary quit.

An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). The evidence of record failed to establish any good cause attributable to the employer for Mr. Long's separation. He was not advised by a doctor that he could not perform the work for which he was hired. He did not notify Labor Ready that he was unable to perform the work he accepted for December 21. Furthermore, he never reported for additional work after December 21, 2007. Because the evidence did not establish good cause attributable to the employer for the quit, benefits are denied.

**DECISION:**

The representative's decision dated February 8, 2008, reference 02, is hereby affirmed. Mr. Long quit his employment with Labor Ready for no good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

---

Carolyn F. Coleman  
Administrative Law Judge

---

Decision Dated and Mailed

cfc/kjw