

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEPHANIE R RICHARDSON
Claimant

APPEAL NO. 08A-UI-10597-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INTERNATIONAL INC
Employer

OC: 06/29/08 R: 01
Claimant: Respondent (1)

Section 96.5-1-j – Separation from Temporary Employment Company

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated October 30, 2008, reference 01, that concluded she was laid off due to lack of work. A telephone hearing was held on December 1, 2008. The parties were properly notified about the hearing. The claimant participated in the hearing. Todd Ashenfelter participated in the hearing on behalf of the employer.

ISSUE:

Is the claimant disqualified because she failed to contact a temporary employment company after the completion of her assignment?

FINDINGS OF FACT:

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant's last assignment was working for NSK Corporation from June 4, 2007, through September 16, 2008. When the claimant was hired, she signed a statement that she was required to contact the employer within 48 hours after the completion of a job assignment and request a new assignment.

On September 17, 2008, the employer phoned the claimant regarding a job assignment and left a message for her because she did not answer. The claimant returned the phone message within a few days but the job had been filled by that time. The same thing happened on a couple of occasions afterward.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 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 is not subject to disqualification under Iowa Code section 96.5-1-j because the employer does not have a policy that complies with the law. She was qualified to receive unemployment insurance benefits based on her being laid off from work.

DECISION:

The unemployment insurance decision dated October 30, 2008, reference 01, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs