

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DELECIA R WILLIAMS**  
Claimant

**APPEAL NO: 13A-UI-06259-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING INC**  
**SEDONA STAFFING**  
Employer

**OC: 04/21/13**  
**Claimant: Respondent (2/R)**

Iowa Code § 96.5(1)j - Voluntary Quit Temporary Employment

**PROCEDURAL STATEMENT OF THE CASE:**

The employer appealed a representative's May 20, 2013 determination (reference 01) that held the claimant qualified to receive benefits and the employer's account subject to charge because her employment separation did not disqualify her from receiving benefits. The claimant responded to the hearing notice. When she was called for the hearing, the recorded message stated, "The person at this phone number cannot receive messages at this time." The claimant did not contact the Appeals Section on July 3 to participate at the scheduled hearing. Maria Mays, the risk administrator assistant, and Dennis Leaser, the account manager, appeared on the employer's behalf. Based on the evidence, the employer's arguments, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

**ISSUE:**

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits?

**FINDINGS OF FACT:**

The claimant registered to work for the employer in December 2007. She received a copy of the employer's policy then that informed her she must contact the employer after she completed an assignment within three work days for another assignment. The policy also informed her that If she did not timely contact the employer, she could be disqualified from receiving benefits.

The claimant usually only had short-term assignments. In the past, she has sometimes contacted the employer within three days of completing an assignment and sometimes she has not. The claimant finished a two-day assignment on March 12, 2013. She did not contact the employer for another assignment until March 27, 2013.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5(1), (2)a. A claimant, who is a temporary

employee of a temporary employment firm, may be disqualified from receiving unemployment insurance benefits if she does not notify the temporary employment firm within three working days after completing the job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise in writing about the three-day notification rule and that a claimant may be disqualified from receiving unemployment insurance benefits if she fails to timely notify the employer a job has been completed. Iowa Code § 96.5(1)j.

The evidence establishes the claimant received, at the time she registered to work for the employer, a copy of the three-day notification rule. She completed a two-day assignment on March 12, 2013, and did not contact the employer for another assignment until March 27, 2013. Since the claimant did not participate at the hearing, it is not known why she did not contact the employer before March 27. The evidence does not establish that she had good cause to wait until March 27, 2013. Based on the facts presented at the hearing and Iowa Code § 96.5(1)j, the claimant voluntarily quit this employment for reasons that do not qualify her to receive benefits. As of April 21, 2013, the claimant is not qualified to receive benefits.

The issue of overpayment or whether the claimant will be required to pay back any benefits she may have received since April 21, 2013, will be remanded to the Claims Section to determine.

**DECISION:**

The representative's May 20, 2013 determination (reference 01) is reversed. The claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits by failing to timely contact the employer for another job assignment. As of April 21, 2013, the claimant is disqualified from receiving unemployment insurance benefits. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

The issue of overpayment or whether the claimant will be required to pay benefits she may have received since April 21, 2013, is **Remanded** to the Claims Section to determine.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/css