

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**SAMANTHA L BEELER
2524 LOGAN AVE APT A
DES MOINES IA 50317**

**ANNA ENTERPRISES
STAFFING SOLUTIONS
7600 UNIVERSITY AVE
CLIVE IA 50325**

**Appeal Number: 05A-UI-00761-SWT
OC: 06/06/04 R: 02
Claimant: Respondent (2)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5-1-j – Voluntary Quit of Temporary Agency

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated January 12, 2005, reference 09, that concluded the claimant was qualified to receive unemployment insurance benefits. A telephone hearing was held on February 8, 2005. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. Chandra Wimberly participated in the hearing on behalf of the employer. Exhibit One was admitted into evidence at the hearing.

FINDINGS OF FACT:

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant worked for the employer on an assignment as an assembler from June 14, 2004, to September 10, 2004. The claimant signed a written statement verifying that she understood that employees were required to contact the employer within three working days

after completing a work assignment to seek a new assignment or would be considered to have voluntarily quit employment.

The claimant completed her work assignment on September 10 but failed to contact the employer within three working days to seek a new assignment. She did not contact the employer again until September 23, 2004.

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 considered to have voluntarily quit employment without good cause attributable to the employer because she failed to contact the employer within three working days after completing her work assignment. She had been properly advised of that requirement by the employer when she was hired.

DECISION:

The unemployment insurance decision dated January 12, 2005, reference 09, is reversed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

saw/s