

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LARRY PRINE**  
Claimant

**APPEAL NO. 07A-UI-00959-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADECCO USA INC**  
Employer

**OC: 11/05/06 R: 02  
Claimant: Respondent (1)**

Section 96.5-2-a - Discharge

**STATEMENT OF THE CASE:**

The employer appealed an unemployment insurance decision dated December 16, 2006, reference 04, that concluded the claimant was eligible for benefits because he had contacted the employer within three days after completing his work assignment. A telephone hearing was held on February 12, 2007. The parties were properly notified about the hearing. The claimant participated in the hearing with a witness, Danette McNeely. Chris Schiebe participated in the hearing on behalf of the employer with a witness, Katherine Olson.

**ISSUES:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?  
Was the claimant discharged for work-connected misconduct?

**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 at Goodrich from July 31 to November 7, 2006. 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 after the completion of a job assignment and request a new assignment.

The employer removed the claimant from the job assignment at Goodrich on request of the client business who decided he did not have the knowledge required for the job. When he was informed that he was removed, he was not offered a new job or informed he was required to contact the employer about another assignment. He did contact the employer within a week of being informed about the assignment ending and was informed there was no work available.

**REASONING AND CONCLUSIONS OF LAW:**

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

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 did not quit his employment and was not discharged for work-connected misconduct. He is not disqualified under Iowa Code section 96.5-1-j. First, the policy is not in compliance with the statute since it does not require the employee contact the employer within three days following the completion of a work assignment. Second, the claimant had contact with the employer when he was informed by the employer that the assignment was completed and was not offered other work. Third, the claimant did contact the employer a week later and no work was available for him.

**DECISION:**

The unemployment insurance decision dated December 16, 2006, reference 04, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs