

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JUNIOR SILIANG
Claimant

APPEAL NO. 13A-UI-06878-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

L A LEASING INC
Employer

OC: 04/07/13
Claimant: Respondent (1)

871 IAC 24.1(113)a - Layoff

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated May 3, 2013, reference 01, that concluded the claimant completed his temporary work assignment and asked for a new assignment. A telephone hearing was held on July 12, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Maria Mayes participated in the hearing on behalf of the employer with a witness, Trisha Manthei. Exhibit One was admitted into evidence at the hearing.

ISSUE:

Was the claimant discharged for work-connected misconduct?

FINDINGS OF FACT:

The employer is a staffing company that provides workers to client businesses on a temporary or indefinite basis. The claimant worked full time for the employer on an assignment at Maquoketa Web Printing from May 28, 2010, to March 4, 2013. When the claimant was hired, he was given a statement to read and sign that said he would be considered to have voluntarily quit employment if he did not contact the employer within three working days after the completion of a job assignment and request a new assignment.

After work on March 4, 2013, a staffing representative, Amanda Sullivan called the claimant and informed him that Maquoketa Web Printing no longer needed his services. The claimant asked Sullivan if the employer had any other job openings for him and was told that there was no work for him at that time. The claimant contacted the employer again on March 15 when he picked up his paycheck. He again asked the employer if there was any work available and was told there was no assignments for him.

The claimant offered and accepted a job with the employer working at Pacific Coast Feather Company starting May 23, 2013.

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 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 satisfied the requirements of Iowa Code § 96.5-1-j by asking Sullivan if the employer had any other work for him on March 4, 2013. It is obvious that the employer did not treat the claimant as having voluntarily quit since he was not told that he had quit when he asked about work on March 15 and he was offered and accepted another job in May 2013.

The claimant was laid off due to lack of work after he completed his work assignment. See 871 IAC 24.1(113)a.

DECISION:

The unemployment insurance decision dated May 3, 2013, reference 01, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css