

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**VINCE P LOCKWOOD**  
Claimant

**APPEAL NO. 11A-UI-15461-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MASTERTSON PERSONNEL INC**  
Employer

**OC: 11/14/10**  
**Claimant: Appellant (1)**

Section 96.5(1)j – Quit/Temporary

**STATEMENT OF THE CASE:**

The claimant, Vince Lockwood, filed an appeal from a decision dated November 22, 2011, reference 03. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on January 4, 2012. The claimant participated on his own behalf. The employer, Masterson Personnel, participated by Operations Manager Jim Robertson and Staff Recruiter Pat Walker.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Vince Lockwood was employed by Masterson Personnel from September 2 until October 25, 2011. He had two assignments during that time and the last one ended Thursday, October 20, 2011. Mr. Lockwood did not call in and ask for another assignment within three working days.

The claimant was notified in writing on July 18, 2011, when he applied for work, that he was required to call and request more work within three working days of the end of the assignment. He was given a copy of the document which was entitled "Notice of Obligation to Seek Reassignment."

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department, but the individual shall not be disqualified if the department finds that:

j. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm of completion of an employment assignment and who seeks reassignment. Failure of the individual to notify the temporary employment firm of completion of an employment assignment within three working days of the completion of each employment assignment under a contract of hire shall be deemed a voluntary quit unless the individual was not advised in writing of the duty to notify the temporary employment firm upon completion of an employment assignment or the individual had good cause for not contacting the temporary employment firm within three working days and notified the firm at the first reasonable opportunity thereafter.

To show that the employee was advised in writing of the notification requirement of this paragraph, the temporary employment firm shall advise the temporary employee by requiring the temporary employee, at the time of employment with the temporary employment firm, to read and sign a document that provides a clear and concise explanation of the notification requirement and the consequences of a failure to notify. The document shall be separate from any contract of employment and a copy of the signed document shall be provided to the temporary employee.

For the purposes of this paragraph:

(1) "Temporary employee" means an individual who is employed by a temporary employment firm to provide services to clients to supplement their work force during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.

(2) "Temporary employment firm" means a person engaged in the business of employing temporary employees.

The claimant is considered a voluntary quit by operation of law because he did not request a new assignment within three working days of the end of his last assignment. Under the provisions of the above Administrative Code section, this is a voluntary quit without good cause attributable to the employer and the claimant is disqualified.

**DECISION:**

The representative's decision of November 22, 2011, reference 03, is affirmed. Vince Lockwood is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount in insured work, provided he is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw