

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**FREDERICK A NORMAN**  
Claimant

**APPEAL NO. 11A-UI-13045-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WORKSOURCE INC**  
Employer

**OC: 08/28/11**  
**Claimant: Respondent (1)**

Section 96.5-1-j – Voluntary Quit/Failure to Seek Re-Assignment

**STATEMENT OF THE CASE:**

The employer appealed from a representative's decision dated September 22, 2011, reference 01, that held the claimant completed his temporary job on May 16, 2011, and benefits are allowed. A telephone hearing was held on October 26, 2011. The claimant did not participate. Nancy Parli, Branch Manager, participated for the employer.

**ISSUE:**

Whether claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge, having considered the evidence in the record, finds that: The claimant began work on assignment at EEE on February 18, 2011 and he completed the assignment on May 16. The claimant contacted the employer about further work and no new assignment was offered to him. On July 17 the employer left a telephone message that it had a short-term assignment available but it did not hear from the claimant. There was no further communication between the parties.

The claimant was not available when called for the hearing.

**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 administrative law judge concludes the claimant voluntarily quit with good cause attributable to his employer on May 16, 2011 when he completed his work assignment, and no further work was offered to him within three working days. The telephone message on July 17 about a short-term assignment is not a suitable offer of work.

**DECISION:**

The department decision dated September 22, 2011, reference 01, is affirmed. The claimant voluntarily quit with good cause on May 16, 2011. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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