

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RACHEL A TAYLOR
Claimant

APPEAL NO. 13A-UI-12926-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC
Employer

OC: 06/02/13
Claimant: Appellant (1)

Section 96.5(1)j – Quit/Temporary

STATEMENT OF THE CASE:

The claimant, Rachel Taylor, filed an appeal from a decision dated November 12, 2013, reference 02. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on December 11, 2013. The claimant participated on her own behalf. The employer, Team Staffing, participated by Claims Administrator Sarah Fiedler. Exhibit One was admitted into the record.

ISSUE:

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

FINDINGS OF FACT:

Rachel Taylor was employed by Team Staffing from September 30, 2013 until October 23, 2013. She was assigned to client company Pioneer. At the orientation the claimant received, and signed, a document notifying her she must contact Team Staffing within three business days of the end of each assignment to request more work. Failure to do so is considered a voluntary quit.

Ms. Taylor's assignment at Pioneer ended Friday, October 18, 2013. She did not contact the employer by Wednesday, October 23, 2013, which is the three-day period required. Although she had signed the notification requirement she had not read or understood it and did not know she was to call Team Staffing within that three-day period.

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 did not comply with the availability requirements of the temporary agency. By not notifying the agency within three working days of the end of her assignment, and requesting more work, she is considered a voluntary quit without good cause attributable to the employer. She is disqualified.

DECISION:

The representative's decision of November 12, 2013, reference 02, is affirmed. Rachel Taylor is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css