

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds that: The claimant was employed as a full-time machine operator from August 30, 2004 through August 30, 2005. The employer advised the claimant his assignment was over on August 30, 2005, and the claimant requested additional work but none was available. The claimant went to work on September 1, 2005, and again inquired about work, but the employer had no work at that time either. The claimant was not aware he needed to check in for work on a weekly basis. He did contact the employer on September 28, 2005, but again nothing was available. On October 10, 2005, the claimant was advised he needed to call in on a weekly basis and he began doing so. He was given an assignment with Eaton on October 12, 2005.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the reasons for the claimant's separation from employment qualify him to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if he voluntarily quit without good cause attributable to the employer or if the employer discharged him for work-connected misconduct. Iowa Code §§ 96.5-1 and 96.5-2-a. An individual who is a temporary employee of a temporary employment firm may be disqualified from receiving unemployment insurance benefits if the individual does not notify the temporary employment firm within three working days after ending a job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise the individual in writing of the three-day notification rule. The employer must also notify the individual that he may be disqualified from receiving unemployment insurance benefits if he fails to notify the employer. Iowa Code § 96.5-1-j.

In the case herein, the employer advised the claimant his assignment was over on August 30, 2005. The claimant requested additional work at that time and two days later, but none was available. He was not aware he needed to call in on a weekly basis until October 10, 2005, at which time he complied. The Administrative Law Judge concludes the claimant has satisfied the requirements of Iowa Code § 96.5-1-j and is considered to have voluntarily quit with good cause attributable to the employer. Benefits are allowed.

DECISION:

The unemployment insurance decision dated September 28, 2005, reference 02, is affirmed. The claimant voluntarily quit his employment with good cause attributable to the employer and is qualified to receive unemployment insurance benefits provided he is otherwise eligible.

sdb/kjw