

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DAVID D CLARK**  
Claimant

**APPEAL NO. 09A-UI-18535-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CAMBRIDGE TEMPOSITIONS INC**  
Employer

**OC: 03/01/09**  
**Claimant: Respondent (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Cambridge Tempositions, Inc. filed an appeal from a representative's decision dated December 2, 2009, reference 05, which held that no disqualification would be imposed regarding David Clark's separation from employment. After due notice was issued, a hearing was held by telephone on January 25, 2010. The employer participated by Elaine Pruet, Account Manager. Mr. Clark did not respond to the notice of hearing.

**ISSUE:**

At issue in this matter is whether Mr. Clark was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Clark has worked through Cambridge Tempositions since 1998. His last assignment was with Heinz Quality Chef, where he began working on May 19, 2009. He worked approximately 35 hours each week. He was removed from the assignment on October 30, 2009. He was notified of the end of the assignment by a representative of Cambridge Tempositions on October 30 but was not offered further work at that time. The employer has not had contact with Mr. Clark since October 30, 2009.

**REASONING AND CONCLUSIONS OF LAW:**

Mr. Clark was hired for placement in temporary work assignments. An individual so employed must complete his last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19), (22). Mr. Clark completed his last assignment as he worked until no further work was available at Heinz Quality Chef.

Mr. Clark had signed a document indicating he was to notify Cambridge Tempositions of the end of his assignment within three working days of the end of the assignment. The document did not contain any other terms or conditions of employment and a copy was provided to Mr. Clark. The notice comported with the requirements of Iowa Code section 96.5(1)j. An

individual's separation is considered a voluntary quit if he does not notify the temporary agency of the end of his assignment within three working days after it ends. The purpose of the notice is to alert the temporary agency that the individual is again available for assignments.

In the case at hand, it was the temporary agency that notified Mr. Clark that his assignment was over. Therefore, Cambridge Tempositions was already aware that he was no longer working and was again available for new assignments. It would serve no useful purpose for Mr. Clark to provide the temporary agency with information he knew it already had. Therefore, his failure to provide the same information within three working days of October 30 was not a disqualifying event.

**DECISION:**

The representative's decision dated December 2, 2009, reference 05, is hereby affirmed. Mr. Clark was separated from Cambridge Tempositions, Inc. on October 30, 2009 for no disqualifying reason. Benefits are allowed, provided he is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs