

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTOPHER C ANUMASO
Claimant

APPEAL NO. 11A-UI-11887-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC
Employer

**OC: 07/31/11
Claimant: Appellant (2R)**

Section 96.5-1-j – Voluntary Quit From Temporary Employment

STATEMENT OF THE CASE:

Christopher C. Anumaso filed a timely appeal from an unemployment insurance decision dated September 1, 2011, reference 02, that disqualified him for benefits. After due notice was issued, a telephone hearing was held October 5, 2011 with Mr. Anumaso participating. Exhibit A was admitted into evidence on his behalf. The employer, Team Staffing Solutions, Inc. submitted a written statement in lieu of personal participation in the hearing.

ISSUE:

Did the claimant request reassignment within three working days?

FINDINGS OF FACT:

Christopher C. Anumaso was working for Team Staffing Solutions, Inc. on assignment with Cifco. The assignment ended on Friday, June 10, 2011. On the following Monday Mr. Anumaso requested reassignment. No work was available at that time. Some days later, he was offered an assignment to work at Goodwill Industries.

REASONING AND CONCLUSIONS OF LAW:

The issue before the administrative law judge is whether the end of Mr. Anumaso's assignment on June 10, 2011 was a disqualifying event. It was not.

Iowa Code section 96.5-1-j disqualifies temporary employees of temporary employment services from receiving unemployment insurance benefits if the temporary employee fails to request reassignment from the temporary employment service within three working days after the end of each assignment. The evidence in this record persuades the administrative law judge that Mr. Anumaso promptly sought reassignment. For that reason, there is no disqualification for benefits as a result of the end of the assignment with Cifco.

A question arose as to whether Mr. Anumaso refused an assignment on a later date. That issue has not been addressed by a fact finder, and there is insufficient evidence in the present record

to allow the administrative law judge to make a ruling. Therefore, the question of whether Mr. Anumaso refused a suitable offer of work from Team Staffing Solutions, Inc. in June 2011 is remanded to the Unemployment Insurance Services Division.

DECISION:

The unemployment insurance decision dated September 1, 2011, reference 02, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible. The question of refusal of further assignment is remanded to the Unemployment Insurance Services Division.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

css/css