

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBYN D RANDOLPH
Claimant

APPEAL NO. 08A-UI-07646-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

LABOR READY MIDWEST INC
Employer

OC: 06/08/08 R: 03
Claimant: Appellant (2)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated August 18, 2008, reference 03, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on September 8, 2008. The parties were properly notified about the hearing. The claimant participated in the hearing. No one participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant was assigned to work at Coe College and completed the work assignment after three days. The employer did not have any immediate work available for her.

There is no evidence that the claimant signed a statement that employees were required to contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment.

The employer's account is not presently chargeable for benefits paid to the claimant since it is not a base period employer on the claim.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5-1-j provides that individuals employed by a temporary agency must contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment without good cause attributable to the employer, provided that the employer has given them a statement to read and sign that advises them of these requirements.

The claimant is not subject to disqualification under Iowa Code section 96.5-1-j. The claimant completed her work assignment and the employer did not have any immediate work for her. There is no evidence that the claimant signed a statement that employees were required to contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment.

The employer's account is not presently chargeable for benefits paid to the claimant since it is not a base period employer on the claim. If the employer becomes a base period employer in a future benefit year, its account may be chargeable for benefits paid to the claimant based on this separation from employment.

DECISION:

The unemployment insurance decision dated August 18, 2008, reference 03, is reversed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs