

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RAYMOND P BAUCOM

Claimant

APPEAL NO. 07A-UI-04956-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MANPOWER INTERNATIONAL INC

Employer

**OC: 04/01/07 R: 01
Claimant: Respondent (1)**

Iowa Code section 96.5-1-j – Separation from Temporary Employment

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated May 3, 2007, reference 02, that concluded he completed his temporary work assignment and was not disqualified from receiving unemployment insurance benefits. A telephone hearing was held on June 5, 2007. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. Todd Ashenfelter participated in the hearing on behalf of the employer. Exhibit One was admitted into evidence at the hearing.

ISSUE:

Did the claimant voluntarily quit employment based on Iowa Code section 96.5-1-j?

Was he laid off due to lack of work?

FINDINGS OF FACT:

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant's last job assignment was working for Eaton Corporation from October 10, 2006, through March 28, 2007. When he was hired, he signed a statement that he would be considered unavailable for work if he did not contact the employer within 48 hours after the completion of a job assignment.

The claimant completed the job assignment on March 28, 2007. He did not contact the employer within 48 hours after completing his work assignment at Eaton Corporation. He did contact the employer several weeks afterwards.

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, because the employer's policy is not in compliance with the statute; and the claimant, therefore, was not notified about the disqualification provisions of Iowa Code section 96.5-1-j.

DECISION:

The unemployment insurance decision dated May 3, 2007, reference 02, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/kjw