

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TRENA C MCCOLLUM**  
Claimant

**APPEAL NO. 13A-UI-06267-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AVENTURE STAFFING & PROFESSIONAL**  
Employer

**OC: 04/07/13**  
**Claimant: Respondent (5)**

Section 96.5-1 – Voluntary Quit  
Section 96.5-2-j – Separation from Temporary Employment

**STATEMENT OF THE CASE:**

The employer filed an appeal from a representative's decision dated May 15, 2013, reference 03, which held that the claimant was eligible for unemployment insurance benefits. After due notice, a hearing was held on July 1, 2013. The claimant participated personally. The employer participated by Deb Miller, human resources assistant. The record consists of the testimony of Deb Miller; the testimony of Trena McCollum; and Employer's Exhibit One.

**ISSUE:**

Whether the claimant voluntarily left for good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witnesses and having considered all of the evidence in the record, makes the following findings of fact: The employer is a temporary staffing agency. The claimant's only assignment began on December 11, 2012, at BHFO. The claimant was a part-time employee. Her assignment ended on December 26, 2012, due to attendance issues. The claimant left a voice mail message asking for a new assignment on December 26, 2012, and December 27, 2012.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department, but the individual shall not be disqualified if the department finds that:

j. The individual is a temporary employee of a temporary employment firm who notifies the temporary employment firm of completion of an employment assignment and who

seeks reassignment. Failure of the individual to notify the temporary employment firm of completion of an employment assignment within three working days of the completion of each employment assignment under a contract of hire shall be deemed a voluntary quit unless the individual was not advised in writing of the duty to notify the temporary employment firm upon completion of an employment assignment or the individual had good cause for not contacting the temporary employment firm within three working days and notified the firm at the first reasonable opportunity thereafter.

To show that the employee was advised in writing of the notification requirement of this paragraph, the temporary employment firm shall advise the temporary employee by requiring the temporary employee, at the time of employment with the temporary employment firm, to read and sign a document that provides a clear and concise explanation of the notification requirement and the consequences of a failure to notify. The document shall be separate from any contract of employment and a copy of the signed document shall be provided to the temporary employee.

For the purposes of this paragraph:

(1) "Temporary employee" means an individual who is employed by a temporary employment firm to provide services to clients to supplement their work force during absences, seasonal workloads, temporary skill or labor market shortages, and for special assignments and projects.

(2) "Temporary employment firm" means a person engaged in the business of employing temporary employees.

The claimant is eligible for unemployment insurance benefits provided she meets all other eligibility requirements. The claimant's assignment ended and she requested another assignment within three working days after the end of her assignment. The employer admitted that despite the assignment ending due to attendance issues, she was in good standing with the employer and eligible for other assignments. Benefits are allowed.

**DECISION:**

The decision of the representative dated May 15, 2013, reference 03, is modified without effect. The claimant is eligible for unemployment insurance benefits, provided she meets all other eligibility requirements.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/pjs