

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

PATTY M BOGAARDS  
3069 – 190<sup>TH</sup> ST  
HOMESTEAD IA 52236

TEAM STAFFING SOLUTIONS INC  
116 HARRISON ST  
MUSCATINE IA 52761

Appeal Number: 06A-UI-03539-DWT  
OC: 10/06/05 R: 03  
Claimant: Appellant (2)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1-j – Voluntary Quit Temporary Employment

STATEMENT OF THE CASE:

Patty M. Bogaards (claimant) appealed a representative's March 16, 2006 decision (reference 05) that concluded she was not qualified to receive unemployment insurance benefits, and the account of Team Staffing Solutions, Inc. (employer) would not be charged because the claimant voluntarily quit her employment for reasons that do not qualify her to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 17, 2006. The claimant participated in the hearing. Bill Ramsey, a claims specialist, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant voluntarily quit her temporary employment for reasons that do not qualify her to receive unemployment insurance benefits?

FINDINGS OF FACT:

The claimant registered to work for the employer's clients on October 24, 2005. The claimant signed paperwork indicating she understood it was her responsibility to contact the employer within three days of completing a job assignment and if she did not, she could be denied unemployment insurance benefits. The employer assigned the claimant to a job on October 24, 2005.

On January 5, 2006, an employee representative contacted the claimant and informed her that this day would be her last day at this assignment because she had completed all the work. The claimant went to the Cedar Rapids office on January 5, 2006, to find out if the employer had another job to assign her. The employer did not have another assignment. In an attempt to find another assignment, the claimant also contacted the employer's Iowa City office on January 12, 2006. This office did not have any work to assign to the claimant either.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5-1, 2-a. An individual who is a temporary employee of a temporary employment firm may be disqualified from receiving unemployment insurance benefits if the individual does not notify the temporary employment firm within three working days after completing the job assignment in an attempt to obtain another job assignment. To be disqualified from receiving benefits, at the time of hire the employer must advise the individual in writing of the three-day notification rule and that the individual may be disqualified from receiving unemployment insurance benefits if she fails to notify the employer. Iowa Code § 96.5-1-j.

The facts establish the employer notified the claimant her job assignment would end on January 5, 2006. During this initial contact, the employer did not offer the claimant another assignment. The claimant contacted the Cedar Rapids office on January 5 to find out if the employer had another job to assign her. When the Cedar Rapids office did not have another job, the claimant contacted the Iowa City office on January 12, 2006. The Iowa City office did not have another job to assign the claimant. The claimant satisfied the requirements of Iowa Code § 96.5-1-j.

The claimant became unemployed as of January 5, 2006, because she finished a job assignment and the employer did not have another job to assign her. The claimant became unemployed for reasons that do not disqualify her from receiving unemployment insurance benefits. As of January 8, 2006, the claimant is qualified to receive unemployment insurance benefits.

The employer is not one of the claimant's base period employers. During the claimant's current benefit year, the employer's account will not be charged.

DECISION:

The representative's March 16, 2006 decision (reference 05) is reversed. The claimant did not voluntarily quit her employment. Instead, the claimant completed a job assignment and the employer did not have another job to assign her. As of January 8, 2006, the claimant is qualified to receive unemployment insurance benefits, provided she meets all other eligibility requirements. During the claimant's current benefit year, the employer's account will not be charged.

dlw/tjc