

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TRAMAINE T GARY**  
Claimant

**APPEAL NO. 12A-UI-14781-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LABOR READY MIDWEST INC**  
Employer

**OC: 10/21/12**  
**Claimant: Appellant (1)**

Section 96.5-1-j – Voluntary Quit of Temporary Employment Business

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated December 4, 2012, reference 01, that concluded he voluntarily. A telephone hearing was held on January 15, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Judy Reedy 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 company that provides workers to client businesses on a temporary or indefinite basis. The claimant worked for the employer from September 17, 2012, to October 26, 2012. His last assignment was with Crystal Distributing. When the claimant was hired, he was given a statement to read and sign that said he would be considered to have voluntarily quit employment if he did not contact the employer within three working days after the completion of a job assignment and request a new assignment.

After the claimant completed his work assignment with Crystal Distributing, he did not contact the employer seeking a new assignment because he decided to return to high school to obtain his high school diploma.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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 was notified in writing that he would be considered to have voluntarily quit employment without good cause attributable to the employer if he did not contact the employer

with three days after completing an assignment to obtain another assignment. While the claimant's reason for not returning to work is commendable—a high school degree is essential in today's labor market—no good cause attributable to the employer has been shown for leaving employment as defined by the unemployment insurance law. The claimant is disqualified from receiving benefits.

**DECISION:**

The unemployment insurance decision dated December 4, 2012, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css