

**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**

**KRISTIN R BREKELMANS  
9640 SE 40<sup>TH</sup> AVE  
RUNNELLS IA 50237**

**ACCESSIBLE STAFFING  
939 OFFICE PARK RD STE 124  
WEST DES MOINES IA 50265**

**Appeal Number: 05A-UI-03377-CT  
OC: 12/12/04 R: 02  
Claimant: Respondent (1)**

**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 – Temporary Employment

STATEMENT OF THE CASE:

Accessible Staffing filed an appeal from a representative's decision dated March 21, 2005, reference 04, which held that no disqualification would be imposed regarding Kristin Brekelmans' separation from employment. After due notice was issued, a hearing was held by telephone on April 20, 2005. Ms. Brekelmans participated personally and offered additional testimony from Jenise Whisenand. The employer participated by Karey Brewster, Lead Staffing Coordinator.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Brekelmans began working through Accessible Staffing, a temporary placement firm, on January 24, 2005 and was assigned to work at Iowa Clinic. She was released from the assignment on March 11 when Iowa Clinic hired another individual to fill the vacancy on a permanent basis. Ms. Brekelmans was immediately in contact with Accessible Staffing on March 11 regarding other work. She is still considered an employee but no work has been available for her.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Brekelmans was separated from employment for any disqualifying reason. She was hired for placement in temporary work assignments. An individual so employed must complete her last assignment in order to avoid the voluntary quit provisions of the law. See 871 IAC 24.26(19). Ms. Brekelmans did complete her last assignment. She sought reassignment with Accessible Staffing within three working days following the end of her assignment with Iowa Clinic. For the above reasons, Ms. Brekelmans is entitled to receive job insurance benefits pursuant to Iowa Code section 96.5(1)j. The fact that she accepted employment knowing that the work would be temporary does not preclude her entitlement to job insurance benefits.

DECISION:

The representative's decision dated March 21, 2005, reference 04, is hereby affirmed. Ms. Brekelmans was separated from Accessible Staffing for no disqualifying reason. Benefits are allowed, provided she satisfies all other conditions of eligibility.

cfc/sc