

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

OSMAN OSMAN,

Appellant,

v.

DIVISION OF EMPLOYMENT SECURITY,

Respondent.

DOCKET NUMBER WD72610

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: February 1, 2011

APPEAL FROM

The Labor and Industrial Relations Commission

APPELLATE JUDGES

Division Two: James Edward Welsh, Presiding Judge, and Mark D. Pfeiffer
and Karen King Mitchell, Judges

ATTORNEYS

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Attorney for Respondent.



MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

OSMAN OSMAN,)
)
)
 Appellant,)
)
 v.)
)
)
 DIVISION OF EMPLOYMENT)
 SECURITY,)
)
)
 Respondent.)

WD72610

Labor and Industrial Relations Commission

Before Division Two Judges: James Edward Welsh, Presiding Judge, and
Mark D. Pfeiffer and Karen King Mitchell, Judges

Osman Osman appeals the decision of the Labor and Industrial Relations Commission (“the Commission”) finding him disqualified for unemployment benefits. The Commission determined that Osman voluntarily quit his employment without having good cause attributable to either the work or the employer.

AFFIRMED.

Division Two holds:

In this case, the question is whether Osman, as a temporary employee, acted reasonably in rejecting the employer’s offer of a new temporary assignment. Although a reasonable employee accepting a position as a temporary employee is not necessarily obligated to accept any position that is offered, regardless of terms or conditions, or be subjected to denial of unemployment security benefits, the temporary employee cannot meet his burden of showing good cause attributable to his employment simply by showing that the temporary assignment offered was not comparable or substantially similar to the employee’s most recent temporary assignment. Because Osman did not establish that the terms and conditions of the new assignment were outside the range of what a reasonable temporary employee should expect to encounter on such an assignment, his refusal to accept the assignment was without good cause attributable to the employment.

Opinion by: Karen King Mitchell, Judge

February 1, 2011

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