

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JEANNE EDDY
Claimant

APPEAL NO: 10A-UI-05881-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NEW CHOICES INCORPORATED
Employer

OC: 03/07/10
Claimant: Appellant (4)

Section 96.5-1 – Voluntary Quit Part Time Employment

STATEMENT OF THE CASE:

The claimant appealed a representative's April 12, 2010 decision (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because the claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. A telephone hearing was held on May 25, 2010. The claimant did not respond to the hearing notice or participate in the hearing. Sarah Meir, the human resource coordinator, appeared on the employer's behalf. Based on the evidence, the arguments of the employer, 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 a part-time job for reasons that qualify her to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer on November 23, 2009. The employer hired the claimant to work as a part-time direct care associate. On February 17, 2010, the claimant informed the employer she was quitting effective immediately because she was not being adequately reimbursed for the miles she drove.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code section 96.5-1. When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code section 96.6-2. The claimant quit for personal reasons that would not qualify her to receive benefits if she had been working full time. However, when a claimant quits a part-time job without good cause, she may still be eligible to receive benefits if she is monetarily eligible to receive benefits based on wages credits in her base period that do not include any wage credits from the current employer. 871 IAC 24.27. Since the employer is not a base period employer, the claimant's monetary eligibility is based on wages from other employers. Therefore, she is eligible to receive benefits as of March 7, 2010.

The employer's account will not be charged.

DECISION:

The representative's April 12, 2010 decision (reference 01) is modified in the claimant's favor. The claimant voluntarily quit her employment without good cause. Since the claimant quit a part-time job and is monetarily eligible to receive benefits based on wage credits from other employers in her base period, the claimant is eligible to receive benefits as of March 7, 2010. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs