

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**CARLI EICHELBERGER**  
Claimant

**ROSIE JUNGLE FRIENDS LLC**  
Employer

**APPEAL 20A-UI-06632-J1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/22/20**  
**Claimant: APPELLANT (2)**

Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

On June 22, 2020, the claimant filed an appeal from the June 19, 2020, (reference 01) unemployment insurance decision that denied benefits based on a voluntary quit without good cause attributable to the employer. The parties were properly notified about the hearing. A telephone hearing was held on July 24, 2020. Claimant participated. Employer did not participate.

**ISSUE:**

Did claimant quit employment with good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer in January, 2019. Claimant last worked as a full-time child care teacher. Claimant was separated from employment on January 2, 2020, when she resigned her position. Claimant obtained another position at Learning Begins. Claimant started her employment with Learning Begins on January 13, 2020. Claimant continued to work for Learning Begins until that business closed. Claimant was paid better wages at Learning Begins.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Iowa Admin. Code r. 871-23.43(5) provides:

- (5) Sole purpose. The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or

better employment, which the claimant did accept, and from which the claimant is separated, before or after having started the new employment. No charge shall accrue to the account of the former voluntarily quit employer.

I find claimant quit her employment for other better employment. Claimant obtained a job at Learning Begins before she resigned her position. Claimant did perform work for her new employer. I find that claimant is eligible for unemployment under Iowa Admin. Code r. 871-23.43(5). The account of the employer, Rosie Jungle Friends, LLC shall not be charged.

**DECISION:**

**Regular Unemployment Insurance Benefits Under State Law**

The June 19, 2020, (reference 01) unemployment insurance decision is reversed. Benefits are payable, provided she is otherwise eligible. The account of the employer shall not be charged.



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James F. Elliott  
Administrative Law Judge

July 31, 2020  
Decision Dated and Mailed

je/scn