

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LANETTE B JONES

Claimant

APPEAL NO: 14A-UI-03775-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEAM STAFFING SOLUTIONS INC

Employer

OC: 03/23/14

Claimant: Respondent (4)

Iowa Code § 96.5(1)a – Voluntary Quit for Other Employment

Iowa Code § 96.6(3) – Previously Adjudicated

STATEMENT OF THE CASE:

The employer appealed a representative's April 2, 2014 determination (reference 01) that held a January 8, 2013 employment separation had been previously adjudicated. The claimant participated at the April 30 hearing. Sarah Fiedler appeared on the employer's behalf. The parties agreed to waive advance notice regarding the reasons for the claimant's January 8, 2013 employment separation. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes that based on the reasons for the claimant's January 8, 2013 employment separation she is qualified to receive benefits and the employer's account will not be charged.

ISSUES:

Has the January 8, 2013 employment separation been previously adjudicated?

Did the claimant voluntarily quit her employment on January 8, 2013, for reasons that qualify her to receive benefits?

Is the employer's account subject to charge?

FINDINGS OF FACT:

The claimant established a benefit year from February 26, 2012, through February 23, 2013. She was on temporary layoff the week of December 23, 2012. A January 30, 2013 determination (reference 03) held the claimant eligible to receive benefits as of December 23, 2012, because she was on a temporary layoff. The employer did not appeal this determination.

The claimant returned to work for the employer's client, Engineered Plastic Components, the week of December 31, 2012. The claimant worked for the employer until January 8, 2013, when she accepted a full-time job with Engineered Plastic Components.

The claimant established a new benefit year during the week of March 23, 2014.

REASONING AND CONCLUSIONS OF LAW:

The January 30, 2013 determination only addresses the claimant's one-week temporary layoff the week of December 23, 2012. The representative did not realize the claimant returned to work for the employer's client the week of December 31, 2012, and worked until January 8, 2013. As a result the January 8, 2013 employment separation has not been previously adjudicated. Iowa Code § 96.6(3).

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits for other employment, she is not disqualified from receiving benefits and the employer's account will not be charged. Iowa Code § 96.5(1)a.

The facts in this case establish the claimant became a full-time employee for Engineered Plastic Components, the employer's client that she had been assigned to work for. Since the claimant quit working after accepting a job as full time employer for Engineered Plastic Components, the January 8, 2013 employment separation does not disqualify the claimant from receiving benefits. The employer's account will not be charged.

DECISION:

The representative's April 2, 2014 determination (reference 01) is modified in the employer's favor. The January 8, 2013 employment separation was not previously adjudicated. Even though the claimant was on a temporary layoff the week of December 23, 2012, she returned to work for the employer until January 8, 2013. She then quit for another job. The January 8, 2013 employment separation does not disqualify the claimant from receiving benefits and the employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css