

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JASMINE CRAFTS

Claimant

APPEAL 21A-UI-11298-ED-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE UNVERISTY OF IOWA

Employer

OC: 03/29/20

Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.5(2)a – Discharge for Misconduct

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the August 21, 2021, (reference 01) unemployment insurance decision that held claimant ineligible for unemployment insurance benefits. The parties were properly notified about the hearing. A telephone hearing was held on July 9, 2021. Claimant, Jasmine Crafts, participated personally. Employer, The University of Iowa, participated through Jessica Wade. No exhibits were offered or admitted into the record.

ISSUES:

Was the claimant discharged for disqualifying job-related misconduct?
Did claimant voluntarily quit the employment with good cause attributable to employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed part-time as a nursing assistant from October 3, 2016 and was separated from employment on December 26, 2019, when she voluntarily quit. On November 20, 2019, claimant provided her written resignation to her supervisor, Susan Miller.

Prior to quitting her employment with this employer, the claimant had also been working as a self-employed aesthetician. Claimant intended to continue working in this role on a more frequent basis.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge finds that the claimant voluntarily left the employment to accept employment elsewhere.

Iowa Code §96.5(1) provides:

An individual shall be disqualified for benefits:

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. 871-24.25(37) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code § 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code § 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

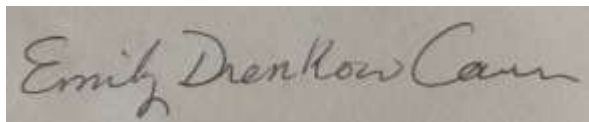
(37) The claimant will be considered to have left employment voluntarily when such claimant gave the employer notice of an intention to resign and the employer accepted such resignation. This rule shall also apply to the claimant who was employed by an educational institution who has declined or refused to accept a new contract or reasonable assurance of work for a successive academic term or year and the offer of work was within the purview of the individual's training and experience.

Claimant tendered a written notice of intent to resign which was accepted effective December 26, 2019 by the employer. Claimant was not forced or pressured to tender her resignation by her employer. Claimant intended to focus on her self-employment role as an aesthetician.

While claimant's leaving the employment may have been based upon good personal reasons, it was not for a good-cause reason attributable to the employer according to Iowa law. Benefits must be denied.

DECISION:

The August 21, 2020, (reference 01) unemployment insurance decision is affirmed. Benefits are denied.



Emily Drenkow Carr
Administrative Law Judge

July 20, 2021
Decision Dated and Mailed

ed/ol