

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SANDRA J PATTERSON**  
Claimant

**APPEAL NO: 13A-UI-12506-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MERCY MEDICAL CENTER – CLINTON INC**  
Employer

**OC: 04/28/13**  
**Claimant: Appellant (4)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.27 – Part-time Employment  
871 IAC 23.43(4)b – Supplemental Employment

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated November 4, 2013, reference 02, that held she voluntarily quit without good cause attributable to her employer on September 14, 2013, and benefits are denied. A telephone hearing was held on December 2, 2013. The claimant did not participate. Maggie Callahan, Recruitment Specialist, participated for the employer.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The claimant worked for the employer as a part-time environmental service worker on September 13, 2013 and worked to September 14. She was given a written job description at hire.

On September 14 claimant advised employer specialist Callahan she was quitting. Claimant complained about the pace of the work. She was still in training with another worker when she quit.

Claimant's base period employer is Professional Building Service. The department issued a May 15, 2013 decision reference 01 that allowed benefits, and relieved the employer.

Claimant called after the close of the record though there is no record of any call made on UI Appeals control C2T system. She maintains her request to postpone was granted. Claimant withdrew her request to reopen the record when she learned she would not be disqualified in this matter.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 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.

871 IAC 24.27 provides:

Voluntary quit of part-time employment and requalification. An individual who voluntarily quits without good cause part-time employment and has not requalified for benefits following the voluntary quit of part-time employment, yet is otherwise monetarily eligible for benefits based on wages paid by the regular or other base period employers, shall not be disqualified for voluntarily quitting the part-time employment. The individual and the part-time employer which was voluntarily quit shall be notified on the Form 65-5323 or 60-0186, Unemployment Insurance Decision, that benefit payments shall not be made which are based on the wages paid by the part-time employer and benefit charges shall not be assessed against the part-time employer's account; however, once the individual has met the requalification requirements following the voluntary quit without good cause of the part-time employer, the wages paid in the part-time employment shall be available for benefit payment purposes. For benefit charging purposes and as determined by the applicable requalification requirements, the wages paid by the part-time employer shall be transferred to the balancing account.

The administrative law judge concludes claimant voluntarily quit without good cause her part-time employment with the employer due to a voluntary resignation for personal reasons effective September 14, 2013. The employer is not liable for this claim, and not charged for benefits.

The administrative law judge further concludes claimant's voluntary quit of part-time employment is not disqualifying based on wage credits she earned with her base period employer. Claimant is also eligible based on the supplemental employment provision of 871 UAC 23.43(4).

Claimant quit a part-time non-base period job that is not disqualifying. She is eligible for benefits and the employer is relieved of liability for the claim.

**DECISION:**

The department decision dated November 4, 2013, reference 02, is modified. The claimant voluntarily quit without good cause part-time employment on September 14, 2013 that is not disqualifying. Benefits are allowed, provided the claimant is otherwise eligible. The employer's account is not charged.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/pjs