

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANTHONY F SALAZAR**  
Claimant

**APPEAL NO. 12A-UI-05650-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**BEEF PRODUCTS INC**  
Employer

**OC: 10/23/11  
Claimant: Respondent (4)**

Section 96.5-1-a – Quit for Other Employment

**STATEMENT OF THE CASE:**

Beef Products, Inc. filed a timely appeal from an unemployment insurance decision dated May 9, 2012, reference 04, that ruled the claimant had become unemployed as a result of a business closure. After due notice was issued, a telephone hearing was held July 11, 2012 with Jennifer Stubbs participating for the employer. Exhibit One was admitted into evidence. Mr. Salazar did not provide a telephone number at which he could be contacted.

**ISSUE:**

Did the claimant become unemployed as a result of a business closure?

**FINDINGS OF FACT:**

Anthony F. Salazar was a production worker for Beef Products, Inc. from May 20, 2009 until he resigned effective February 9, 2012. He resigned because he had found another job. Mr. Salazar has not requested or received unemployment insurance benefits since this separation.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-a 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. But the individual shall not be disqualified if the department finds that:

a. The individual left employment in good faith for the sole purpose of accepting other or better employment, which the individual did accept, and the individual performed services in the new employment. Benefits relating to wage credits earned with the employer that the individual has left shall be charged to the unemployment

compensation fund. This paragraph applies to both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

According to the statute above, an individual who resigns from one job to accept another is not disqualified for benefits as a result of the initial resignation. His or her eligibility for benefits is determined at the time that the second job ends. The first employer, however, is not charged for benefits paid to the individual.

The evidence establishes that Mr. Salazar voluntarily left employment with Beef Products, Inc. to accept other employment. Since he is not currently requesting or receiving unemployment insurance benefits, his eligibility would be determined when his current job ends. No benefits shall be charged to the account of Beef Products, Inc.

**DECISION:**

The unemployment insurance decision dated May 9, 2012, reference 04, is modified. The claimant quit for other employment. His eligibility will be determined when he next requests benefits. No benefits shall be charged to the account of Beef Products, Inc.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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