

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SASHA M REINDL
Claimant

APPEAL NO. 14A-UI-03936-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

SHARPNESS INC
Employer

OC: 03/16/14
Claimant: Appellant (4)

Iowa Code § 96.5(1)g – Voluntary Leaving/Requalification

STATEMENT OF THE CASE:

The claimant filed an appeal from the April 4, 2014, (reference 01) unemployment insurance decision that denied benefits. After due notice was issued a hearing was held on May 2, 2014. The claimant did participate. The employer did participate through Mickey Akers, Owner.

ISSUES:

Did the claimant voluntarily quit her employment without good cause attributable to the employer?

Has the claimant requalified for benefits since her separation?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed full-time as a stylist and product leader beginning January 22, 2013 through October 18, 2013 when she voluntarily quit. The claimant quit to move to Mason City from Dubuque to be nearer to her family.

Since her separation with this employer the claimant has requalified for benefits by earning more than ten-times her weekly benefit amount.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer but has requalified for benefits.

Iowa Code section 96.5-1-g 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:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2) (amended 1998). Voluntarily quitting to move to another location is not good cause attributable to the employer for leaving the employment.

However, the administrative law judge further concludes from information contained in the administrative record that the claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer (account number 349392) shall not be charged.

DECISION:

The April 4, 2014, (reference 01) decision is modified in favor of the appellant. The claimant quit without good cause attributable to the employer, but has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of this employer (349392) shall not be charged.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/pjs