

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DENNIS J DONALDSON Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT	68-0157 (9-06) - 3091078 - EI APPEAL NO: 18A-UI-02699-JE-T ADMINISTRATIVE LAW JUDGE DECISION OC: 12/10/17 Claimant: Appellant (4)
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Iowa Code § 96.5(1)g - Voluntary Leaving/Requalification

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated February 19, 2018, reference 02, which held that he was not eligible for unemployment insurance benefits after a separation from employment with Hormel because he had not requalified for benefits. After due notice was issued, a hearing was held on March 16, 2018. The claimant participated in the hearing.

ISSUE:

The issue is whether the claimant has requalified for benefits since the separation from Hormel.

FINDINGS OF FACT:

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: The claimant has requalified for benefits since the separation from Hormel (account number 004638) and since the prior claim year separation decision. The claimant's weekly benefit amount is \$490.00. He has earned \$4,662.00 from Adecco USA and \$698.56 from Express Employment Professionals.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant has requalified for benefits.

Iowa Code § 96.5-1-g provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 requalified for benefits since the separation from Hormel by earning ten times his weekly benefit amount at Adecco and Express. Accordingly, benefits are allowed and the account of Hormel shall not be charged.

DECISION:

The unemployment insurance decision dated February 19, 2018, reference 02, is modified in favor of the appellant. The claimant has requalified for benefits since the separation and since the prior claim year separation decision. Benefits are allowed, provided the claimant is otherwise eligible. The account of Hormel shall not be charged.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/scn