

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JAZMIN SOTO
Claimant

APPEAL NO: 09A-UI-11237-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

TYSON FRESH MEATS INC
Employer

OC: 06/07/09
Claimant: Appellant (4)

Section 96.5-1-a – Voluntary Quit/Other Employment

STATEMENT OF THE CASE:

The claimant appealed a department decision dated August 4, 2009, reference 02, that held she voluntarily quit employment without good cause attributable to the employer on March 14, 2009, and benefits are denied. A telephone hearing was held on August 20, 2009. The claimant participated. Barb Larsen, Training Manager, participated for the employer.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having considered the evidence by stipulation of the parties in the record, finds: The claimant last worked for the employer from January 8, 2008 to March 14, 2009, as a full-time meat cutter. The claimant accepted a job with Universal ADCOM LLC where she continued to work until her lay-off from employment in early June 2009. The employer reported paying wages to the claimant totaling \$1,169.00 for the second quarter of 2009. The employer did not protest the claimant's June 7, 2009 claim.

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.

The administrative law judge concludes that the claimant voluntarily quit employment with good cause attributable due to leaving for other employment effective March 14, 2009. The claimant and employer representative stipulated to the finding of fact and decision.

The department record confirms that the claimant left for other employment. The claimant is entitled to receive benefits, and Tyson Fresh Meats is relieved of liability for the claim.

DECISION:

The department decision dated August 4, 2009, reference 02, is modified. The claimant voluntarily quit with good cause attributable to the employer on March 14, 2009, for other employment. Benefits are allowed, provided the claimant is otherwise eligible. Tyson Fresh Meats Inc. is relieved of liability for claimant's claim.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/css