

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KESHIA D DAVIS**

Claimant

**APPEAL NO: 14A-UI-11126-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS FARGO BANK NA**

Employer

**OC: 09/28/14**

**Claimant: Appellant (4)**

Iowa Code § 96.5(1) – Voluntary Quit

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's October 15, 2014 determination (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because she voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant participated at the November 17 hearing. Steve Zaks represented the employer. Bridgett Finnegan testified on the employer's behalf. During the hearing, Employer Exhibit One was offered and admitted as evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is eligible to receive benefits for the weeks ending October 4 and 11, but is disqualified from receiving benefits as of October 12, 2014.

**ISSUE:**

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits or did the employer discharge her for work-connected misconduct?

**FINDINGS OF FACT:**

After the employer laid off the claimant from work in April 2014, she applied for another job in July. The claimant began working for the employer again in late July 2014. In July the employer hired the claimant to work as a full-time home preservation specialist.

The claimant was still in training when she informed her supervisor on September 26 that she was giving the employer her two-week notice. In a September 26 email, the claimant informed the employer the job she had accepted was not for her and her last day of work would be October 10, 2014. (Employer Exhibit One.) The claimant's supervisor informed the claimant that because she was still in training, her employment would end effective immediately. After the claimant completed her exit paperwork, Finnegan told the claimant she could work until October 10 answering phones. Since the claimant had already completed the exit paperwork and she would be answering questions that she was still in training for, the claimant declined this offer.

The claimant quit because she believed she had accepted a job that would help customers from going into foreclosure. Instead, her job required her to work with customers who were already in foreclosure. The claimant found this work too stressful for her. The claimant established a claim for benefits during the week of September 28, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer, or an employer discharged her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5(1), (2)a. When a claimant gives the employer advance notice of her resignation which results in the employer ending the claimant's employment before the effective of her resignation, no disqualification shall be imposed from the last day of work until the proposed resignation date. 871 IAC 24.25(38).

After the claimant gave the employer her resignation notice, her supervisor told her that since she was in training, she would not be allowed to work an additional two weeks. After the claimant completed the termination paperwork, Finnegan asked the claimant to work two more weeks answering calls from customers about subject matters she was in the midst of receiving training. Finnegan offered the claimant two weeks of work after the claimant had already completed all her termination paperwork. This offer came before the claimant had established an unemployment insurance claim and contradicts the claimant's supervisor rationale for ending the claimant's employment immediately. The facts establish the claimant had good cause to decline Finnegan's offer to work until October 10, 2014.

Since the claimant's supervisor ended the claimant's employment on September 26 instead of allowing her to work until October 10, the claimant is eligible to receive benefits for the weeks ending October 4 and 11, 2014. As of October 12, 2014, the claimant is not qualified to receive benefits because she quit this employment for personal reasons that do not qualify her to receive benefits.

**DECISION:**

The representative's October 15, 2014 determination (reference 01) is modified in the claimant's favor. The claimant voluntarily quit her employment for personal reasons as of October 10, 2014. The claimant quit for reasons that do not qualify her to receive benefits as of October 12, 2014. Since the claimant's supervisor would not allow her to work until October 10 because she was still in training, the claimant is eligible to receive benefits for the weeks ending October 4 and 11, 2014.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs