

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICHARD B NEAL
Claimant

APPEAL NO: 15A-UI-04090-ET

**ADMINISTRATIVE LAW JUDGE
DECISION**

ROBERT HALF CORPORATION
Employer

OC: 03/01/15
Claimant: Appellant (4)

Section 96.5-1 a – Voluntary Leaving – Other Employment

STATEMENT OF THE CASE:

The employer filed a timely appeal from the March 25, 2015, reference 02, decision that allowed benefits to the claimant. After due notice was issued, a hearing was held by telephone conference call before Administrative Law Judge Julie Elder on May 5, 2015. The claimant participated in the hearing. Julie Albert, Division Director, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant voluntarily left his employment to accept employment elsewhere.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a part-time customer service representative for Robert Half Corporation from April 21, 2014 to January 30, 2015. The claimant was assigned to work at Viking Pump during his employment with this employer. He began as a full-time employee and after his first three months his hours were cut to part-time. He was also told by the client at that time that his assignment would end January 30, 2015. Consequently, the claimant began looking for other work as the end of his assignment neared and told the client around the end of December 2014 he believed he had other full-time work. The Viking Pump assignment continued on a week to week basis and was renewed for one week at a time. The claimant's new job fell through after he left Robert Half. Continued work with Robert Half was most likely available.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment to accept employment elsewhere.

Iowa Code § 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.

Even though the separation was without good cause attributable to the employer and would, standing alone, most likely disqualify the claimant from receiving benefits, the claimant did leave in reliance on an offer of other employment. That job subsequently fell through. Accordingly, benefits are allowed and the account of Robert Half Corporation shall not be charged.

DECISION:

The March 25, 2015, reference 02, decision is modified in favor of the appellant. The claimant voluntarily left his employment in order to accept other employment. Benefits are allowed, provided the claimant is otherwise eligible. The account of this employer shall not be charged.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

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