

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JEFFERY A KRAMER
Claimant

L A LEASING INC
SEDONA GROUP
Employer

APPEAL 14A-UI-11611-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 10/05/14
Claimant: Respondent (4)

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

STATEMENT OF THE CASE:

The employer filed an appeal from the October 31, 2014, (reference 03) unemployment insurance decision that allowed benefits. The parties were properly notified about the hearing. A telephone hearing was held on December 2, 2014. Claimant did not participate. Employer participated through Colleen McGuinty, Unemployment Insurance Benefits Administrator and Vicky Eillers, Industrial Division Manager. Employer's Exhibit One was entered and received into the record.

ISSUES:

Did the claimant voluntarily quit his employment without good cause attributable to the employer and if so, has he requalified for benefits since his separation?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was last assigned TM Logistics full-time beginning January 29, 2014 through March 26, 2014 when he completed the assignment. The claimant did not seek reassignment from the employer. IWD records show the claimant has requalified for benefits since the separation from L. A. Leasing, Sedona Group (account number 237958).

REASONING AND CONCLUSIONS OF LAW:

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

Iowa Code § 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).

The claimant voluntarily quit by not seeking additional assignment from the employer within three working days of the end of his assignment. 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 237958) shall not be charged.

DECISION:

The October 31, 2014 (reference 03) 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 the employer shall not be charged.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/pjs