

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

AMY M VANCE
Claimant

APPEAL NO. 10A-UI-14067-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

RUFFALOCODY LLC
Employer

OC: 08/15/10
Claimant: Appellant (4)

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

STATEMENT OF THE CASE:

The claimant appealed a department decision dated October 8, 2010, reference 02, that held she voluntarily quit employment without good cause attributable to the employer on March 14, 2010, and that denied benefits. A telephone hearing was held on December 2, 2010. The claimant participated. Kelly Henrich, HR Generalist, 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 heard the testimony of the witnesses and having considered the evidence in the record, finds: The claimant began work as a part-time telephone caller on August 10, 2009. The claimant worked as many as 32 to 35 hours each week

Beginning January 2010, the claimant noticed a gradual reduction in work hours down to about 8 hours a week. The claimant notified her supervisor she was quitting and last worked about March 14. The claimant left employment because she found a full-time job as a front desk clerk at Super 8 Motel (Shree H..R Corp - #370967), which she started on March 8, 2010 and worked until June when she accepted a better paying job at APAC (#222946). Super 8 reported gross earnings paid to claimant in the amount of \$1,711 for the second quarter of 2010.

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 due to leaving for other/better employment effective March 14, 2010.

The claimant quit for other/better employment due to moving from a part-time job to a full-time job where she worked and earned wages of \$1,711 for the second quarter of 2010. The claimant is eligible for benefits, and the employer's account is relieved of liability for the claim.

DECISION:

The department decision dated October 8, 2010, reference 02, is modified. The claimant voluntarily quit with good cause for other/better employment effective March 14, 2010. Benefits are allowed, provided the claimant is otherwise eligible. The employer is not liable for benefits paid to the claimant.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/kjw