

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**MARTIN G MELVIN**  
Claimant

**APPEAL NO. 18A-UI-06247-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PROCTER & GAMBLE HAIR CARE LLC**  
Employer

**OC: 05/13/18  
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Martin Melvin (claimant) appealed a representative's June 1, 2018, decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he voluntarily quit work with Procter & Gamble Hair Care (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for June 22, 2018. The claimant participated personally. The employer did not provide a telephone number where it could be reached and therefore, did not participate in the hearing. The claimant offered and Exhibit A was received into evidence.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on March 6, 2017, as a full-time production technician. He had an interview with Ryder and was offered employment starting the end of May 2018. On or about April 2, 2018, the claimant notified his line lead that his last day of work would be on April 16, 2018. Continued work was available had the claimant not offered his resignation.

On May 9, 2018, Ryder sent the claimant an e-mail confirming the verbal offer of employment that was to commence on or about May 28, 2018. The offer was contingent on the successful completion of a background check. The claimant had already passed the post-offer drug screening test.

The claimant ended his work with the employer and spent time with his family and traveling as he awaited the start of his new job. He filed for unemployment insurance benefits with an effective date of May 13, 2018. On May 23, 2018, Ryder sent the claimant an e-mail rescinding its offer of employment because the claimant omitted information from his job application.

**REASONING AND CONCLUSIONS OF LAW:**

For the following reasons the administrative law judge concludes the claimant is not eligible to receive unemployment insurance benefits after his separation from work.

Iowa Code section 96.5(1)a provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 claimant left his position with the employer to accept another job. When an employee quits work to take other employment, he is not disqualified from receiving unemployment insurance benefits so long as he accepts the work and performs services for the new employer. In this case, the claimant accepted new employment but did not perform services for the new employer. He voluntarily quit without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's June 1, 2018, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount provided the claimant is otherwise eligible.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/rvs