

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MELLISA HAAGE
Claimant

MANPOWER INTERNATIONAL INC
Employer

APPEAL 20A-UI-15687-SN-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/29/20
Claimant: Appellant (2)

Iowa Code § 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

The claimant filed an appeal from the November 24, 2020, (reference 03) unemployment insurance decision that denied benefits based upon her failure to notify the employer within three working days of the completion of her last assignment. The parties were properly notified of the hearing. A telephone hearing was held on January 27, 2021. The claimant participated. The employer participated through Recruiter Gail Gonyaw. Exhibits A, B, C and D were entered into the record.

ISSUE:

Did the claimant quit without good cause attributable to the employer?

FINDINGS OF FACT:

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds:

The claimant, Mellisa Haage, was last assigned at Siemens Gamesa by the employer, Manpower International Inc, from April 10, 2019, to August 16, 2020, when she quit.

The employer has a three day notice requirement policy. The claimant received information on this notice requirement during orientation. It is also posted online. The three day notice requirement requires employees to notify the employer of the end of an assignment within three days of it terminating.

On August 17, 2020, the claimant informed the Recruiter Cynthia Damewood that she may have been exposed to Covid19 and that she would be on quarantine for the next 14 days. The claimant provided a copy of this email. (Exhibit D) Over the course of her quarantine, the claimant was supposed to notify Siemens Gamesa of her temperature. The employer was uncertain if she informed Siemens Gamesa of her temperature during that period of time. The claimant provided a log of emails showing she contacted Ms. Damewood on August 24, 2020 regarding her Covid19 symptoms.

On August 20, 2020, the claimant received a job offer from Conagra.

On August 26, 2020, the claimant informed Ms. Damewood that she had accepted the job offer from Conagra and her resignation would be effective August 29, 2020. (Exhibit C)

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

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:

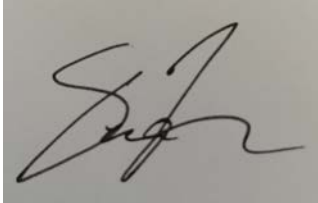
1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department. But the individual shall not be disqualified if the department finds that:

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 her position with the employer to work for another employer. When an employee quits work to take other employment, she is not disqualified from receiving unemployment insurance benefits. The claimant quit work to take other employment. The claimant voluntarily quit without good cause attributable to the employer. Benefits are allowed because the claimant left to take other employment. The employer will not be charged.

DECISION:

The November 24, 2020, (reference 03) unemployment insurance decision is reversed. The claimant's separation was not attributable to the employer. However, since the claimant secured other employment, she is entitled to benefits from the unemployment compensation fund.

A handwritten signature in black ink, appearing to read 'Sean M. Nelson', is shown on a light gray background.

Sean M. Nelson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 725-9067

February 26, 2021
Decision Dated and Mailed

smn/scn