

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JORDAN A JUDSTRA**  
Claimant

**APPEAL NO. 14A-UI-08235-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**STREAM INTERNATIONAL INC**  
Employer

**OC: 07/06/14**  
**Claimant: Respondent (4)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Stream International (employer) appealed a representative's July 31, 2014, decision (reference 01) that concluded Jordan Judstra (claimant) was eligible to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for August 29, 2014. The claimant did not provide a telephone number for the hearing and, therefore, did not participate. The employer participated by Staci Albert, Human Resources Manager; Kodi Benson, Senior Team Manager of Visa; and Judy Easton, Senior Recruiter.

**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 June 10, 2013, as a full-time customer support professional. The claimant had been working on one customer account, Microsoft Marketplace. On May 21, 2014, the employer notified the claimant that the line was moving overseas. At that time the employer offered the claimant similar work for the claimant to perform on two other accounts, Microsoft Xbox and Visa. The claimant would earn the same wages for comparable work and, after two weeks of training, would involve the same hours. The claimant worked through July 7, 2014, and was paid through July 20, 2014. On July 14, 2014, the claimant told the employer she was resigning effective July 20, 2014, because she had another job. Continued work was available had the claimant not resigned.

The claimant filed for unemployment insurance benefits with an effective date of July 6, 2014. The employer participated personally at the fact-finding interview on July 30, 2014, by Bangone Chanthavong.

## **REASONING AND CONCLUSIONS OF LAW:**

For the following reasons the administrative law judge concludes the claimant is eligible to receive unemployment insurance benefits after her separation from work.

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 § 96.8, subsection 5.

Iowa Admin. Code r. 871-24.28(5) provides:

Voluntary quit requalifications and previously adjudicated voluntary quit issues.

(5) The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or better employment, which the claimant did accept, and from which the claimant is separated, before or after having started the new employment. The employment does not have to be covered employment and does not include self-employment.

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. She 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 representative's July 31, 2014, decision (reference 01) is modified in favor of the appellant. The claimant voluntarily left work without good cause attributable to the employer. The claimant is not disqualified from receiving unemployment insurance benefits because she quit to take other employment. The employer will not be charged.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/css