

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHELLE R SNYDER
Claimant

APPEAL NO: 12A-UI-11409-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

HARBOR FREIGHT TOOLS USA INC
Employer

OC: 08/12/12
Claimant: Respondent (4)

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

STATEMENT OF THE CASE:

The employer appealed a department decision dated September 10, 2012, reference 01, that held the claimant voluntarily quit employment with good cause attributable to the employer on April 23, 2012, and benefits are allowed. A telephone hearing was held on November 5, 2012. The claimant participated. Scott Selberg, Store Manager, participated for the employer. Employer Exhibits A – D was received as evidence.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having considered the stipulation of the evidence in the record, finds: The claimant began employment on April 12, 2010 and last worked for the employer as a cashier on April 23, 2012. The claimant gave notice to the employer she was leaving employment for another job on April 12. Claimant began work at RuffaloCody (ER #319664) where she continued employment until her separation for no disqualifiable reason.

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 attributable due to leaving for other/better employment effective April 23, 2012.

The claimant and employer stipulated this employment separation was for other employment that is supported by the evidence in the record. No employer's account is charged for benefits.

DECISION:

The department decision dated September 10, 2012, reference 01, is modified. The claimant voluntarily quit with good cause other employment on April 23, 2012. 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/pjs