

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JUNLIN DU**  
Claimant

**APPEAL NO. 11A-UI-15713-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**HY-VEE INC**  
Employer

**OC: 10/23/11**  
**Claimant: Appellant (4)**

Section 96.5(1)g – Quit/Requalification

**STATEMENT OF THE CASE:**

The claimant, Junlin Du, filed an appeal from a decision dated November 30, 2011, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on January 11, 2012. The claimant participated on his own behalf and Cindy Chen acted as interpreter. The employer, Hy-Vee, participated by Human Resources Manager Leah Hefel and was represented by Corporate Cost Control in the person of Susan Mirise. Exhibit A was admitted into the record.

**ISSUE:**

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

**FINDINGS OF FACT:**

Junlin Du was employed by Hy-Vee from October 21, 2008 until January 14, 2011 as a full-time cook. He resigned in order to move to California, even though continuing work was available to him. He filed a claim for unemployment benefits with an effective date of October 23, 2011. His weekly benefit amount is \$385.00.

Subsequent to his separation from Hy-Vee, he earned insured wages in the amount of \$5,384.62 from an employer in California.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-g 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:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant quit without good cause attributable to the employer to move to another locality. This is a disqualifying separation under the provisions of 871 IAC 24.25(2). However, he has requalified by earning ten times his weekly benefit amount from a subsequent employer. Benefits are allowed.

**DECISION:**

The representative's decision of November 30, 2011, reference 01, is modified in favor of the appellant. Junlin Du is qualified for benefits, provided he is otherwise eligible. The account of Hy-Vee shall not be charged with benefits paid to the claimant after January 14, 2011.

---

Bonny G. Hendricksmeier  
Administrative Law Judge

---

Decision Dated and Mailed

bgh/kjw