

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MONA A BELL HAZELWOOD
Claimant

APPEAL NO: 12A-UI-05210-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

WEST DES MOINES COMMUNITY SCH DIS
Employer

OC: 04/01/12
Claimant: Appellant (4)

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

STATEMENT OF THE CASE:

The claimant appealed a department decision dated April 26, 2012, reference 01, that held she was not eligible for benefits April 1, 2012, because she was still employed in the same job. A telephone hearing was held on May 29, 2012. The claimant participated. The employer did not participate.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having heard the testimony of the witness and having considered the evidence in the record, finds: The claimant began working for her employer about August 2009 as a substitute teacher associate on a periodic basis. She accepted a full-time job at Wells Fargo Technisource Inc (ER# 328585) on September 20, 2011 and continued that employment until she was laid off on March 30, 2012. This employer did not protest claimant's claim. The department record shows this employer reported paying claimant wages of \$5,636 for the fourth quarter of 2011. Claimant's weekly benefit (WBA) is \$257.

The employer's representatives were not available when called for the hearing.

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 claimant voluntarily left for good cause based on accepting other employment effective September 20, 2011. She is eligible for benefits and the employer in this matter is not liable. Claimant ended her employment to accept a full-time job with (Wells Fargo) Technisource on September 20, 2011, and this employer did not protest her UI claim when she was laid off on March 30, 2012.

DECISION:

The department decision dated April 26, 2012, reference 01, is modified. The claimant voluntarily quit for other employment effective September 20, 2011. Benefits are allowed, provided claimant is otherwise eligible. The employer's account is not charged for these benefits.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/kjw