

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERTO JULIAN**  
Claimant

**APPEAL NO. 07A-UI-04656-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEMP ASSOCIATES**  
Employer

**OC: 02/18/07 R: 12  
Claimant: Respondent (4)**

Section 96.5-1-a – Voluntary Quit to Accept Other Employment

**STATEMENT OF THE CASE:**

The employer appealed an unemployment insurance decision dated April 30, 2007, reference 03, that concluded its account was subject to charge for benefits paid to the claimant. A telephone hearing was held on May 23, 2007. The claimant failed to participate in the hearing. Deb Perdue participated on behalf of the employer.

**FINDINGS OF FACT:**

The claimant worked for the employer from November 25, 2005, to February 27, 2006. The claimant voluntarily left employment on February 27, 2006 to accept a full-time permanent job with Mount Pleasant Foods. The claimant performed services for Mount Pleasant Foods.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

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 claimant left work to accept other employment and performed services in that new employment. Pursuant to the statute, the employer's account will not be charged for benefits paid to the claimant.

**DECISION:**

The unemployment insurance decision dated April 30, 2007, reference 03, is modified in favor of the employer. The employer's account will be exempt from charge for benefits paid to the claimant.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css