

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PERMINO P PELEP
Claimant

AEROTEK INC
Employer

APPEAL NO. 10A-UI-01537-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 12/13/09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed a department representative's decision dated January 25, 2010, reference 02, that held he voluntarily quit without good cause on May 18, 2009, and benefits are denied. A telephone hearing was scheduled for March 9, 2010. The claimant did not participate. The employer did not participate.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record, finds that: The claimant last worked for the employer on May 18, 2009. The claimant voluntarily quit his job for other employment that is not established by the record in this case.

The claimant worked for BPI and he earned gross wages of \$294.00 as reported by this employer in the second quarter of 2009. The department issued a decision that he quit this part-time employment without good cause on June 4. While the claimant was eligible for benefits based on wages earned with base period employers, he could not use these wages to qualify for benefits on his current claim.

The department issued a decision that the claimant has not earned sufficient wages to re-qualify for benefits since his separation from this employment. The claimant has earned gross wages of \$2,018.00 with Wal-Mart, \$586.00 with Whitaker Foods, and \$41.00 with LA Leasing for a total of \$2,645.00 that is less than ten times his weekly benefit amount of \$2,690.00 (10 x \$269.00).

The claimant was not available when called for the hearing. The employer did not respond to the hearing notice.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5-1 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.

The administrative law judge concludes that the claimant voluntarily quit without good cause attributable to his employer when he left his job on May 18, 2009 for other employment that is not established in this matter.

DECISION:

The decision of the department representative dated January 25, 2010, reference 02, is affirmed. The claimant voluntarily quit without good cause attributable to the employer on May 18, 2009. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times his weekly benefit amount, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs