

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHRIS L HUMPHREY**  
Claimant

**REMBRANDT ENTERPRISES INC**  
Employer

**APPEAL 17A-UI-00608-NM-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**OC: 12/11/16**  
**Claimant: Appellant (4)**

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Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Code § 96.5(1)g – Voluntary Leaving/Requalification

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the January 9, 2017, (reference 01) unemployment insurance decision that denied benefits based upon his voluntary quit. The parties were properly notified of the hearing. A telephone hearing was held on February 13, 2017. The claimant participated and testified. The employer participated through Human Resource Administrator Pam Winkle. Official notice was taken of the administrative record.

**ISSUE:**

Did claimant voluntarily quit the employment with good cause attributable to employer?

Has the claimant requalified for benefits since the separation from this employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full time as an equipment operator from March 18, 2016, until this employment ended on June 17, 2016, when he voluntarily quit. On June 2, 2016, claimant notified his site manager that he was quitting because he had found other employment and his last day would be June 17, 2016. Claimant testified he had gone on two interviews for a new job and believed he would be hired, but had not actually been made an offer of employment. Claimant was never made an offer or hired by the prospective employer. The administrative record reflects that since the separation from this employment the claimant has worked in and been paid insured wages of at least ten times his weekly benefit amount.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left the employment without good cause attributable to the employer but has since requalified for benefits.

Iowa Code § 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 has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). Iowa Administrative Code rule 871-24.25(3) provides that where the claimant left to seek other employment but did not secure employment, his quitting is without good cause attributable to the employer and the separation is disqualifying. However, the administrative law judge concludes from information contained in the administrative record that the claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer (account number 303881-000) shall not be charged.

**DECISION:**

The January 9, 2017, (reference 01) unemployment insurance decision is modified in favor of the appellant. The claimant quit without good cause attributable to the employer, but has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer (account number 303881-000) shall not be charged.

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Nicole Merrill  
Administrative Law Judge

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Decision Dated and Mailed

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