

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RENE A DIETZ Claimant	APPEAL NO: 12A-UI-12958-DT
L A LEASING INC/SEDONA STAFFING Employer	ADMINISTRATIVE LAW JUDGE DECISION
	OC: 09/25/11 Claimant: Respondent (4)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

L A Leasing, Inc. / Sedona Staffing (employer) appealed a representative's October 19, 2012 decision (reference 05) that concluded Rene A. Dietz (claimant) was qualified to receive unemployment insurance benefits after a separation from employment from L A Leasing, Inc. / Sedona Staffing (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on December 17, 2012. The claimant participated in the hearing. Chad Baker appeared on the employer's behalf and presented testimony from one other witness, Carrie Cannon. During the hearing, Employer's Exhibit One was entered into evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant voluntarily quit for a disqualifying reason?

OUTCOME:

Modified. Benefits allowed; employer's account relieved of charge.

FINDINGS OF FACT:

The employer is a temporary employment firm. The claimant began taking assignments with the employer on August 28, 2012. Her first and only assignment began on that date. Her last day on the assignment was September 7, 2012. The claimant ended her affiliation with the employer after that date because she got a substitute teaching position.

REASONING AND CONCLUSIONS OF LAW:

If the claimant voluntarily quit her employment, she is not eligible for unemployment insurance benefits unless it was for a non-disqualifying reason. Iowa Code § 96.5-1. One reason a voluntary quit is non-disqualifying is if an employee quits for the reason of accepting and

entering into new employment. Iowa Code § 96.5-1-a. However, under these circumstances the employer's account is also not subject to charge.

The claimant did voluntarily quit in order accept a bona fide offer of other employment. The claimant is not disqualified from receiving benefits as a result of her quit from the employer in this case, but the employer's account will not be charged.

DECISION:

The representative's October 19, 2012 decision (reference 05) is modified in favor of the claimant. The claimant voluntarily left her employment, but the quit was not disqualifying. The claimant is eligible for unemployment insurance benefits, provided she is otherwise eligible. The employer's account will not be charged.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/pjs