

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**CHERYL TATREAU**  
Claimant

**WALMART INC**  
Employer

**APPEAL 21A-UI-03835-SN-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 11/08/20**  
**Claimant: Appellant (2)**

Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the January 22, 2021, (reference 01) unemployment insurance decision that denied benefits based upon the conclusion she quit and did not secure subsequent employment. The parties were properly notified of the hearing. A telephone hearing was held on March 18, 2021. The claimant participated. The employer did not participate. The administrative law judge took official notice of the agency records.

**ISSUE:**

Whether the claimant quit with good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

The claimant, Cheryl Tatreau, was employed full-time as a customer service manager for the employer, Wal-Mart Inc., from July 27, 2018, until this employment ended on August 8, 2020, when she quit. The claimant's immediate supervisors were front end leads, Milie North and Diane Larson.

At the end of July or early August 2020, the claimant informed Ms. North and Ms. Larson that she would be leaving Wal-Mart to work as a parts manager at West Point Dairy. The claimant had the job offer in hand when she quit.

The claimant began working for West Point Dairy on August 10, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

For the following reasons the administrative law judge concludes the claimant is eligible to receive unemployment insurance benefits after separation from work.

Iowa Code section 96.5(1)a provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

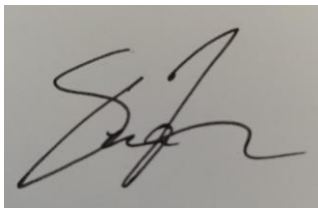
1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department. But the individual shall not be disqualified if the department finds that:

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 her position with the employer to work for another employer. When an employee quits work to take other employment, she is not disqualified from receiving unemployment insurance benefits. The claimant quit work to take other employment. Her voluntarily quit without good cause attributable to the employer. Benefits are allowed because the claimant left to take other employment. The employer will not be charged.

**DECISION:**

The representative's January 22, 2021, (reference 01) is reversed. The claimant voluntarily left work without good cause attributable to the employer. The claimant is not disqualified from receiving unemployment insurance benefits because she quit in order to take other employment. The employer will not be charged. Benefits are granted.



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March 19, 2021  
Decision Dated and Mailed

smn/lj