

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DONALD R O'CONNOR
Claimant

APPEAL NO. 11A-UI-10714-LT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

**OC: 07/03/11
Claimant: Appellant (4)**

Iowa Code § 96.5(1)j – Voluntary Leaving (Temporary Assignment)

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the August 10, 2011 (reference 02) decision that denied benefits. After due notice was issued, a hearing was scheduled to be held on September 7, 2011. Because the issue appealed was resolved administratively in claimant's favor without prejudice to employer (see reference 04 representative's decision), no testimony was necessary and no hearing was held.

ISSUE:

The issue is whether claimant has 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: The claimant has requalified for benefits since the separation from Express Services Inc. (account number 207332).

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant has 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.

Claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer (account number 207332) shall not be charged.

DECISION:

The August 10, 2011 (reference 02) decision is modified in favor of the appellant. The claimant has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer shall not be charged.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/kjw