

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**ERIK R MCMASTER**  
Claimant

**AEROTEK INC**  
Employer

**APPEAL NO. 21A-UI-14535-B2-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/28/21  
Claimant: Appellant (2)**

Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated June 22, 2021, reference 03, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 20, 2021. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on February 14, 2020. Claimant voluntarily quit his job on February 16, 2020 as claimant secured other employment with Lange Insurance and Financial. Claimant quit his part time job with Aerotek to take full time employment with Lange. Claimant did earn wages from Lange.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5(1) 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.

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 administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause when claimant quit his job with Aerotek to work other employment with Lange Insurance.

As claimant quit for other employment, employer's account shall not be charged for any unemployment benefits received by claimant.

**DECISION:**

The decision of the representative dated June 22, 2021, reference 03, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible. As claimant quit for other employment, employer's account shall not be charged for any unemployment benefits received by claimant.



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Blair A. Bennett  
Administrative Law Judge

August 24, 2021  
Decision Dated and Mailed

bab/ol