

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MERILEE J REDFORD
Claimant

APPEAL NO: 12A-UI-06527-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

VEH ENTERPRISES
Employer

OC: 04/22/12
Claimant: Respondent (4)

Section 96.5-1-a – Voluntary Quit/Other Employment

STATEMENT OF THE CASE:

The employer appealed a department decision dated May 25, 2012, reference 02, that held the claimant was laid-off for lack of work on November 1, 2011, and benefits are allowed. A telephone hearing was held on June 27, 2012. The claimant participated. Eugene Hiskey, Owner, participated for the employer.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having heard the witness testimony and having considered the evidence in the record, finds: The claimant last worked for Rainbow Cleaners & Laundry a business run by the employer on November 11, 2011. The employer sold the business to Wise Dry Cleaners and claimant chose to continue her employment with the purchaser.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5-1-a 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:

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 concludes that the claimant voluntarily left employment with good cause due to leaving for other employment effective November 11, 2011.

The claimant accepted other employment with a new employer that is a qualifying reason for receiving benefits. The employer's account is not charged.

DECISION:

The department decision dated May 25, 2012, reference 02, is modified. The claimant voluntarily left for other employment on November 11, 2011. Benefits are allowed, provided the claimant is otherwise eligible. The employer is not liable for benefits paid to the claimant.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

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