

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

BETH T BJORKGREN
Claimant

APPEAL 21A-UI-23880-ED-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA CATHOLIC CONFERENCE
Employer

**OC: 03/22/20
Claimant: Appellant (4)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.6(2) – Timeliness of Appeal
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.4(3) – Eligibility – A&A – Able to, available for, work search

STATEMENT OF THE CASE:

Claimant filed an appeal from the January 7, 2021 (reference 02) unemployment insurance decision that denied benefits based on her voluntary quit from employer. Notices of hearing were mailed to the parties' last known addresses of record for a telephone hearing scheduled for December 20, 2021. Claimant, Beth Bjorkgren, participated personally. The employer participated through Cindy Pudenz and hearing representative, Paul Jahnke. No exhibits were offered or admitted.

ISSUE:

Whether the appeal should be dismissed based on the appellant's failure to appear and participate.
Whether the claimant was discharged for misconduct.
Whether claimant voluntarily quit.
Whether claimant was Able and available for Work.

FINDINGS OF FACT:

Claimant worked for the employer, St. Mary's in Storm Lake, Iowa, beginning August 2014 as a coach. Diane Jones was claimant's immediate supervisor. Claimant voluntarily quit her employment in February 2018. Claimant submitted her resignation via letter. Claimant quit because she was moving. Claimant began working at Lifetime in September 2019 until the current time.

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant has requalified for benefits by earning ten times her weekly benefit amount since separating from Iowa Catholic Conference. Claimant testified that she earned at least \$3,100.00 in her new employment.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant has requalified for benefits since separating from this employer.

Iowa Code section 96.5(1)g provides:

An individual shall be disqualified for benefits:

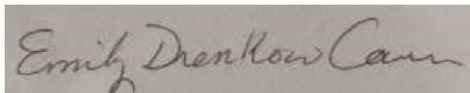
1. *Voluntary quitting.* If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department. But the individual shall not be disqualified if the department finds that:

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.

Based upon information contained in the administrative record, the claimant has requalified for benefits since separating from this employer. Accordingly, benefits are allowed and the account of the employer, Iowa Catholic Conference, shall not be charged.

DECISION:

The January 7, 2021 (reference 02) unemployment insurance decision is modified in favor of the appellant. Claimant has requalified for benefits since the separation. Benefits are allowed provided claimant is otherwise eligible. Employer's account shall not be charged.



Emily Drenkow Carr
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

January 21, 2022
Decision Dated and Mailed

ed/mh