

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

AMY M HOUSE
Claimant

APPEAL NO. 11A-UI-04909-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

INFINITY CONTACT INC
Employer

**OC: 02/27/11
Claimant: Appellant (1)**

Section 96.5(1)a – Quit/Other Employment

STATEMENT OF THE CASE:

The claimant, Amy House, filed an appeal from a decision dated March 31, 2011, reference 03. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 9, 2011. The claimant participated on her own behalf. The employer, Infinity Contact, participated by Accounting Specialist Christine Ward.

ISSUE:

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

FINDINGS OF FACT:

Amy House was employed by Infinity Contact from June 7 until July 31, 2010 as a part-time call center representative. She gave a written resignation to Supervisor Eric Horton with a two-week notice. She was quitting in order to accept another job with AT&T in Davenport, Iowa.

The records of Iowa Workforce Development do not show any wages reported under the claimant's social security number from any employer after Infinity Contact. She did not provide any proof of earnings at the Appeal Hearing such as check stubs or a W-2 document.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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 claimant has the burden of proof to establish that she accepted other employment and worked for the new employer after her separation from Infinity Contact. She has failed to do so and the administrative law judge cannot conclude she has requalified by working for a new employer or earning ten times her weekly benefit amount subsequent to her separation from this employer.

DECISION:

The representative's decision of March 31, 2011, reference 03, is affirmed. Amy House is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

If the claimant has proof of earnings from her subsequent employer, such documentation should be provided immediately to her local Workforce Center to prove she has requalified for unemployment benefits.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs