

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARY F LANE**  
Claimant

**APPEAL NO. 07A-UI-09446-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING INC**  
**SEDONA STAFFING**  
Employer

**OC: 09-02-07 R: 04**  
**Claimant: Appellant (4)**

Iowa Code § 96.5(1) – Voluntary Leaving  
871 IAC 24.27 – Voluntary Leaving Part Time Employment

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the October 5, 2007, reference 04, decision that denied benefits. After due notice was issued, a hearing was held on October 23, 2007. The claimant did participate. The employer did participate through Colleen McGuinty, Unemployment Benefits Administrator, and Leah Stern, Recruiter.

**ISSUE:**

Did the claimant voluntarily quit part-time employment without good cause attributable to the employer, but is otherwise monetarily eligible for benefits?

**FINDINGS OF FACT:**

Having reviewed the testimony and all of the evidence in the record, the administrative law judge finds: Claimant was last assigned by L. A. Leasing to work as a transcriptionist, part-time, at Promotional Support Services from June 13, 2007 through August 1, 2007, when she voluntarily quit because she wanted a part-time job in Davenport.

The administrative record shows that the claimant has not requalified for benefits since leaving L.A. Leasing but is otherwise monetarily eligible.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer, and has not requalified but is otherwise monetarily eligible.

Iowa Code § 96.5-1 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.

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.

871 IAC 24.27 provides:

Voluntary quit of part-time employment and requalification. An individual who voluntarily quits without good cause part-time employment and has not requalified for benefits following the voluntary quit of part-time employment, yet is otherwise monetarily eligible for benefits based on wages paid by the regular or other base period employers, shall not be disqualified for voluntarily quitting the part-time employment. The individual and the part-time employer which was voluntarily quit shall be notified on the Form 65-5323 or 60-0186, Unemployment Insurance Decision, that benefit payments shall not be made which are based on the wages paid by the part-time employer and benefit charges shall not be assessed against the part-time employer's account; however, once the individual has met the requalification requirements following the voluntary quit without good cause of the part-time employer, the wages paid in the part-time employment shall be available for benefit payment purposes. For benefit charging purposes and as determined by the applicable requalification requirements, the wages paid by the part-time employer shall be transferred to the balancing account.

Inasmuch as the claimant's voluntary quit L.A. Leasing because she wanted an assignment closer to her home, the separation is disqualifying. Additionally, the claimant has not requalified for benefits since the separation but is otherwise monetarily eligible according to base period wages. Benefits are allowed, provided the claimant is otherwise eligible.

**DECISION:**

The October 5, 2007, reference 04, decision is modified in favor of the appellant. The claimant voluntarily left the employment without good cause attributable to the employer and has not requalified for benefits but is otherwise monetarily eligible. Benefits are allowed, provided the claimant is otherwise eligible. The account of this employer (L.A. Leasing, Account Number 237958) shall not be charged.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/kjw