

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

ANGELA J BLAD  
PO BOX 129  
VINTON IA 52349

REMEDY INTELLIGENT STAFFING INC  
c/o TALX UC EXPRESS  
PO BOX 66864  
ST LOUIS MO 63166-6864

Appeal Number: 04A-UI-03475-AT  
OC: 10-05-03 R: 03  
Claimant: Appellant (2)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1a – Quit For Other Employment

STATEMENT OF THE CASE:

Angela J. Blad filed a timely appeal from an unemployment insurance decision dated March 19, 2004 reference 04 which disqualified her for benefits. Due notice was issued for a telephone hearing to be held April 14, 2004. At the time of the hearing Ms. Blad and Susan Schminke of Remedy Intelligent Staffing, Inc. entered into a stipulation.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: During the week ending March 6, 2004 Angela J. Blad resigned from employment with Remedy Intelligent Staffing, Inc. to accept employment with Spherion Atlantic. She has performed services for that

company. She discontinued filing weekly claims after March 13, 2004 because her earnings exceeded the sum of her weekly benefit amount plus \$15.00.

#### REASONING AND CONCLUSIONS OF LAW:

The question is whether Ms. Blad's separation from employment with Remedy Intelligent Staffing, Inc. was a disqualifying event. It was not.

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 evidence in this record establishes that Ms. Blad left employment with Remedy Intelligent Staffing, Inc. for the sole purpose of accepting employment with Spherion Atlantic and that she performed services for that company. In so doing she has met the requirements of the statute. Her separation from employment with Remedy Intelligent Staffing, Inc. does not disqualify her for benefits. On the other hand, Remedy Intelligent Staffing, Inc. shall not be charged with any benefits paid to Ms. Blad after February 28, 2004.

#### DECISION:

The unemployment insurance decision dated March 19, 2004 reference 04 is reversed. The claimant is entitled to receive unemployment insurance benefits, provided she is otherwise eligible. Remedy Intelligent Staffing, Inc. is relieved of charges as of February 29, 2004.

sb/b