

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

EVANS M MASESE

Claimant

APPEAL NO: 12A-UI-13971-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

DEERFIELD RETIREMENT COMMUNITY

Employer

OC: 10/28/12

Claimant: Appellant (4)

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

STATEMENT OF THE CASE:

The claimant appealed a department decision dated November 21, 2012, reference 01, that held he voluntarily quit employment without good cause on September 14, 2012, and benefits are denied. A telephone hearing was held on December 24, 2012. The claimant participated. Vicky O'Brien, HR Director, 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 worked for the employer from August 5, 2011 to September 14, 2012 as a full-time nurse. The claimant quit on September 14 to relocate to Arizona where he had a job with La Loma that is a rehabilitation center. This job pays about \$11.00 an hour more than what he had been earning.

Evans started work at the center on October 2 and worked for about one month. A work issue arose about his eligibility that has caused an employment interruption.

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 claimant voluntarily left employment for other and/or better employment on September 14, 2012. Claimant is eligible for benefits and no employer's account is charged.

DECISION:

The department decision dated November 21, 2012, reference 01, is modified. The claimant voluntarily left for other and/or better employment on September 14, 2012. Benefits are allowed, provided claimant is otherwise eligible. No employer's account is charged.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/bjc