

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ANN M CHRISTOPHERSEN
Claimant

APPEAL NO: 13A-UI-12254-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

YELLOWBOOK INC
Employer

OC: 09/29/13
Claimant: Respondent (4)

Iowa Code § 96.5(1)a – Voluntary Quit for Other Employment

PROCEDURAL STATEMENT OF THE CASE:

The employer appealed a representative's October 22, 2013 determination (reference 01) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant had been discharged for nondisqualifying reasons. The claimant participated in the hearing. Christy Dilecy and Justin Linnel appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits, or did the employer discharge her for work-connected misconduct?

FINDINGS OF FACT:

The claimant started working for the employer in August 15, 2011. She worked as a full-time telephone sales consultant.

On October 2, the claimant asked to talk to Linnel. When she talked to him, she gave him her two-week notice. The claimant had accepted another job, but planned to work for the employer until October 16. The employer accepted her resignation, but did not allow the claimant to work another two weeks. The employer accepted her resignation effective immediately.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer, or an employer discharges her for reasons constituting work-connected misconduct. Iowa Code §§ 96.5(1), (2)a. If a claimant quits for other employment, she is not disqualified from receiving benefits and the employer's account will not be charged. Iowa Code § 96.5(1)a.

The facts establish the claimant resigned her employment before the employer talked to the claimant about discharging her for excessive absenteeism. The claimant resigned because she had accepted another job. As a result of resigning for another job, the claimant is qualified to receive benefits as of September 29, 2013. The employer's account will not be charged.

DECISION:

The representative's October 22, 2013 determination (reference 01) is modified in the employer's favor. Since the claimant quit because she had accepted another job, she is qualified to receive benefits as of September 29, 2013. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs