

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**APRIL SANDOVAL**  
Claimant

**APPEAL NO: 11A-UI-16084-ET**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SAJNI LODGING INC**  
Employer

**OC: 09-25-11**  
**Claimant: Appellant (4)**

Section 96.5-1 a – Voluntary Leaving – Other Employment

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the December 12, 2011, reference 03, decision that denied benefits. After due notice was issued, a hearing was scheduled by telephone conference call before Administrative Law Judge Julie Elder on January 30, 2012.

**ISSUE:**

The issue is whether the claimant voluntarily left her employment to accept employment elsewhere.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed part-time for Sajni Lodging from July 6, 2011 to October 4, 2011. Continued work was available. She left her employment with Sajni Lodging to accept other employment at Heinz, through Team Staffing, because it was a full-time position and paid \$1.50 more per hour than her position with the hotel.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment to accept employment elsewhere.

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.

Even though the separation was without good cause attributable to the employer and would, standing alone, disqualify the claimant from receiving benefits, she did leave in order to accept other employment and did perform services for the subsequent employer. Accordingly, benefits are allowed and the account of Sajni Lodging shall not be charged.

**DECISION:**

The December 12, 2011, reference 03, decision is modified in favor of the appellant. The claimant voluntarily left her employment in order to accept other employment. Benefits are allowed, provided the claimant is otherwise eligible. The account of this employer shall not be charged.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

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