

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

BRADLEY J VIDMAR
Claimant

HEARST PROPERTIES, INC
Employer

APPEAL 15A-UI-01216-KCT
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 01/26/14
Claimant: Appellant (2)

Iowa Code § 96.5(1) – Voluntary Quitting
871 IAC 24.27 – Voluntary Quit of Part-time Job

STATEMENT OF THE CASE:

The claimant filed an appeal from the January 28, 2015 (reference 04) unemployment insurance decision that denied benefits based on the determination that he voluntarily quit employment without good cause attributable to the employer. The parties were properly notified about the hearing. A telephone hearing was held on February 23, 2015. The claimant participated in the hearing and the employer participated through Patty Snyder.

ISSUE:

Did the claimant voluntarily quit his temporary, part-time employment?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed in a temporary, part-time position as a technical operator. He was separated from employment on January 10, 2015 when he quit work. Prior to his separation, the claimant informed his employer of his intention to attend college in Iowa City. The claimant applied for the job with the employer, in part, to establish residency in order to attend college in Iowa. He learned that he had obtained residency status before he resigned his position.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 24.27 provides that a claimant who voluntarily quits part-time employment without good cause and has not requalified for benefits, 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. Instead, the benefits payments will be made based on the wages from the other employers and the part-time employer's account will not be charged for benefits paid.

The claimant voluntarily quit employment without good cause attributable to the employer. The job, however, was part time and the claimant may have sufficient wages from other employers to qualify to receive unemployment insurance benefits. Pursuant to the rule, the employer's account will not be subject to charge for benefits paid to the claimant.

DECISION:

The unemployment insurance decision dated January 28, 2015 (reference 04) is reversed. The claimant is qualified to receive unemployment insurance benefits, provided he is otherwise eligible. The employer's account will be exempt from charge for benefits paid to the claimant.

Kristin A. Collinson
Administrative Law Judge

Decision Dated and Mailed

kac/can