

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEBORAH S PORTER**  
Claimant

**APPEAL NO. 11A-UI-04615-PT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MARKETLINK INC**  
Employer

**OC: 02/27/11**  
**Claimant: Respondent (4)**

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

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated April 5, 2011, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on May 4, 2011. Claimant did not respond to the notice of hearing and did not participate. Employer participated by Amy Potratz, human resources manager.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant was employed with the employer from May 11, 2010 through February 16, 2011. She voluntarily quit her employment for other employment.

**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 record establishes that the claimant quit for other employment. No disqualification is imposed and the employer is not charged pursuant to Iowa Code section 96.5-1-a.

**DECISION:**

The April 5, 2011, reference 01, decision is modified. Benefits are allowed, provided claimant is otherwise eligible and the employer is not charged pursuant to Iowa Code section 96.5-1-a.

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Ron Pohlman  
Administrative Law Judge

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Decision Dated and Mailed

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