

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**JANET K REISER**  
Claimant

**AL ADL LLC**  
Employer

**APPEAL 21A-UI-13049-JD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/21/21  
Claimant: Appellant (4)**

---

Iowa Code § 96.5(1) – Voluntary Quit from Employment

**STATEMENT OF THE CASE:**

On June 1, 2021, claimant Janet K. Reiser filed an appeal from the May 25, 2021 (reference 02) unemployment insurance decision that denied benefits based on a determination that claimant voluntarily quit her employment for personal reasons. The parties were properly notified of the hearing. A telephonic hearing was held at 4:00 p.m. on Friday, August 6, 2021. The claimant, Janet K. Reiser, participated. The employer, AL ADL, L.L.C., participated through Christina Richter, Director of Operations.

**ISSUE:**

Did the claimant voluntarily quit her employment to accept other employment?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds:

The employer does business as “Right At Home” and provides home health care services for senior citizens. Claimant was employed part time, most recently as an in-home healthcare aide, from January 20, 2020, until February 7, 2020, when she quit for other employment.

Claimant wrote the employer a letter on January 30, 2020, stating she would be resigning. She provided the employer a two-week notice and indicated her last date of work would be February 13, 2020.

Claimant left the employer to work for Vibrant Healthcare. Claimant’s separation from that employer has already been adjudicated by the agency.

**REASONING AND CONCLUSIONS OF LAW:**

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

Iowa Code § 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 § 96.8, subsection 5.

Iowa Admin. Code r. 871-24.28 provides:

The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or better employment, which the claimant did accept, and from which the claimant is separated, before or after having started the new employment. The employment does not have to be covered employment and does not include self-employment.

Iowa Admin. Code r. 871-23.43 provides:

The claimant shall be eligible for benefits even though the claimant voluntarily quit if the claimant left for the sole purpose of accepting an offer of other or better employment, which the claimant did accept, and from which the claimant is separated, before or after having started the new employment. No charge shall accrue to the account of the former voluntarily quit employer.

Here, claimant voluntarily quit her employment with this employer not for a good-cause reason that is fairly attributable to the employer. This would, standing alone, disqualifying the claimant from receiving benefits. However, the claimant left employment in order to accept other employment and subsequently performed services for that employer. Accordingly, benefits are allowed provided she is otherwise eligible, and the account of the employer shall not be charged.

**DECISION:**

The May 25, 2021, (reference 02) unemployment insurance decision is modified in favor of the appellant. The claimant voluntarily left the employment in order to accept other employment. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer shall not be charged.



---

Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 478-3528

August 25, 2021  
Decision Dated and Mailed

lj/kmj