

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RALPH L WHITE**  
Claimant

**APPEAL NO: 12A-UI-04448-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA LUBE INC**  
**JIFFY LUBE**  
Employer

**OC: 12/18/11**

**Claimant: Respondent (4)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

Iowa Lube, Inc. / Jiffy Lube (employer) appealed a representative's April 12, 2012 decision (reference 01) that concluded Ralph L. White (claimant) was qualified to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 11, 2012. The claimant participated in the hearing. Todd Wirtner appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit for a disqualifying reason?

**OUTCOME:**

Modified. Benefits allowed; employer's account relieved of charge.

**FINDINGS OF FACT:**

The claimant started working for the employer on April 7, 2010. He initially worked full time as a lube technician at the employer's Cedar Rapids, Iowa location on a varied schedule. His last day of work under that employment arrangement was on or about September 2, 2011. On August 29, 2011 he had informed the employer that he had accepted another full-time job, which he began on or about September 6.

The claimant's new full-time job with his new employer was Monday through Thursday, ten hours per day. As a result, the claimant arranged with this employer to enter into a different employment arrangement under which he would work part time, about 16 hours per week, working only on Fridays and Saturdays. The claimant's last day of work under this employment arrangement was November 5, 2011. On or about October 21 the claimant gave the employer a two-week notice that he was going to leave the part-time employment. He did so because his

new full time employer had offered him additional work on Fridays, which the claimant accepted and began working on or about November 11.

**REASONING AND CONCLUSIONS OF LAW:**

If the claimant voluntarily quit his employment, he is not eligible for unemployment insurance benefits unless it was for a non-disqualifying reason. Iowa Code § 96.5-1. One reason a voluntary quit is non-disqualifying is if an employee quits for the reason of accepting and entering into new employment. Iowa Code § 96.5-1-a. However, under these circumstances the employer's account is also not subject to charge.

The claimant did voluntarily quit in order accept a bona fide offer of other employment. The claimant is not disqualified from receiving benefits as a result of his quit from the employer in this case, but the employer's account will not be charged.

**DECISION:**

The representative's April 12, 2012 decision (reference 01) is modified in favor of the employer. The claimant voluntarily left his employment, but the quit was not disqualifying. The claimant is eligible for unemployment insurance benefits, provided he is otherwise eligible. The employer's account will not be charged.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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