

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**MARYELLEN POTTS**  
Claimant

**APPEAL 15A-UI-10641-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 07/26/15**  
**Claimant: Appellant (2)**

Iowa Code § 96.5(1)g – Voluntary Leaving/Requalification

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the August 28, 2015, (reference 06), unemployment insurance decision that denied benefits. After due notice was issued, a telephone conference hearing was held on October 6, 2015. Claimant participated. Claimant's Exhibit A was entered and received into the record. Official notice was taken of agency records.

**ISSUE:**

Has the claimant requalified for benefits since her disqualifying separation decision of August 12, 2015?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant had a disqualifying separation from one of her employer's (account number 068889) on May 12, 2015. Since that time she has earned well over \$250.00 in insured wages as is evident from Claimant's Exhibit A as well as agency wage records. She has requalified for benefits.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer but has requalified for benefits.

Iowa Code § 96.5-1-g 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:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2) (amended 1998).

The administrative law judge further concludes from information contained in the administrative record that the claimant has requalified for benefits since the disqualifying separation. Accordingly, benefits are allowed.

**DECISION:**

The August 28, 2015, (reference 06) decision is reversed. The claimant has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/pjs