

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ANGEL RIZO

Claimant

APPEAL NO. 14A-UI-11790-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CARGILL MEAT SOLUTIONS CORP

Employer

OC: 09/21/14

Claimant: Appellant (4)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant, Angel Rizo, appealed an unemployment insurance decision dated October 15, 2014, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on December 8, 2014. The parties were properly notified about the hearing. Rizo participated in the hearing with the assistance of interpreter, Rafael Geronimo. Martha Gutierrez participated in the hearing on behalf of the employer. Exhibit A-1 was admitted into evidence at the hearing.

ISSUES:

Did Angel Rizo voluntarily quit employment without good cause attributable to the employer?

Has he presented proof of requalifying wages?

FINDINGS OF FACT:

Angel Rizo worked full time for the employer as a production worker from January 30, 2013, to May 16, 2014. He voluntarily quit employment to relocate to California because his fiancé was ill and wanted to be closer to family there in California.

After relocating to California, Rizo was employed by Duran Contracting Inc. from July 2014 to September 14, 2014, and was paid wages of 4,733.20, as shown on a check stub he submitted. Duran Contracting was sent a notice of claim but did not protest the claim.

Rizo filed a new claim for unemployment insurance benefits with an effective date of September 21, 2014. His weekly benefit amount was \$416.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. The disqualification is removed after a claimant is paid wages for insured work equal to 10 times his weekly benefit amount.

Angel Rizo quit without good cause attributable to the employer but requalified through his employment with Duran Contracting

DECISION:

The unemployment insurance decision dated October 15, 2014, reference 01, is modified in favor of the claimant. Angel Rizo voluntarily quit employment without good cause attributable to the employer. He was eligible for benefits effective September 21, 2014, because he was paid wages for insured work equal to ten times his weekly benefit amount.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css