

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AMY A GEMME**  
Claimant

**APPEAL NO: 14A-UI-09055-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**KIRKWOOD COMMUNITY COLLEGE AREA**  
Employer

**OC: 08/03/14**  
**Claimant: Respondent (2)**

871 IAC 23.43(9) – Relief from Charges on a Combined Wage Claim

**PROCEDURAL STATEMENT OF THE CASE:**

The employer appealed a representative's August 28, 2014 determination (reference 01) that held the employer's account could not be relieved from charge because the employer did not provide information that would relieve the employer's account from charge on an Iowa claim. The claimant did not respond to the hearing notice or participate at the hearing. Sheri Hlavacek, a human resource generalist, appeared on the employer's behalf. Based on the evidence, the employer's arguments, and the law, the administrative law judge concludes the employer's account is relieved from charge.

**ISSUE:**

Can the employer's account be relieved from charge based on a combined wage claim?

**FINDINGS OF FACT:**

The claimant worked for the employer from August 20, 2012, through December 12, 2013. The claimant resigned in December 2013 when she moved out-of-state. The claimant established a claim for benefits in California during the week of August 3, 2014. After the employer received a notice of wage transfer form, the employer protested charges to its account but only reported the claimant's last day of work.

**REASONING AND CONCLUSIONS OF LAW:**

Under Iowa law an employer's account may be relieved from charge when a claimant voluntarily quits employment without good cause. Iowa Code § 96.7(2)a. The law presumes a claimant quits without good cause when she moves to a different locality. 871 24.25(2).

Iowa employers whose wages are transferred to an out-of-state paying state will be liable for charges paid by the out-of-state paying state unless the employer files a timely protest and would be relieved of charges on an Iowa claim. 871 IAC 23.43(9).

The employer filed a timely protest but failed to initially report the claimant quit to move out of state. Since the claimant quit for reasons that do not constitute good cause attributable to the

employer, the employer's account would not be charged on an Iowa claim and will be relieved from charge on the combined wage claim.

**DECISION:**

The representative's August 28, 2014 determination (reference 01) is reversed. The employer established that its account would be relieved from charge on an Iowa claim. Therefore, the employer's account will be relieved from charge on a combined wage claim. The claimant's eligibility to receive benefits will be determined by California.

---

Debra L. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

dlw/css