

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

MELISSA M PEDERSEN  
#2  
515 WASHINGTON AVE  
GRINNELL IA 50112

JUNCTION HOLDINGS OF IOWA INC  
145 – 5<sup>TH</sup> ST  
WEST DES MOINES IA 50265

Appeal Number: 05A-UI-08148-HT  
OC: 07/17/05 R: 02  
Claimant: Respondent (4)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5(1)g – Quit/Requalification

STATEMENT OF THE CASE:

The employer, Junction Holdings of Iowa, Inc. (Junction Holdings), filed an appeal from a decision dated August 3, 2005, reference 01. The decision allowed benefits to the claimant, Melissa Pedersen. After due notice was issued a hearing was held by telephone conference call on August 24, 2005. The claimant did not provide a telephone number where she could be contacted and did not participate. The employer participated by Retail Manager Veronica Deitrick.

#### FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Melissa Pedersen was hired by Junction Holdings September 20, 2004. She was a seasonal employee for the Halloween holiday and was scheduled through November 1, 2004. However, she left work early on October 30, 2004, and did not return to work through the entire period.

Ms. Pedersen filed a claim with an effective date of July 17, 2005. Her weekly benefit amount is \$279.00. Subsequent to leaving Junction Holdings, but prior to filing her claim for benefits, the claimant earned more than ten times her weekly benefit amount from another employer.

#### REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant is disqualified. The judge concludes she is not.

Iowa Code Section 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 left her seasonal work with Junction Holdings prior to the end of the season, and did not finish out the hours she was scheduled through November 1, 2004. This is a voluntary quit and as she did not present any evidence as to why she quit, it must be considered to be without good cause attributable to the employer. However, under the provisions of the above Code section, she has requalified by earning ten times her weekly benefit amount prior to filing her claim for benefits.

#### DECISION:

The representative's decision of August 3, 2005, reference 01, is modified in favor of the appellant. Melissa Pedersen is qualified for benefits provided she is otherwise eligible. However, the account of Junction Holdings shall not be charged with benefits paid to the claimant.

bgh/s