

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

BRITTANIE MULNIX

Claimant

QPS EMPLOYMENT GROUP INC

Employer

APPEAL 20A-UI-07563-HP-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/19/20

Claimant: Appellant (2)

Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1)j – Requesting Another Assignment
Iowa Code § 96.6(2) – Timeliness of Appeal

STATEMENT OF THE CASE:

Claimant Brittanie Mulnix filed an appeal from a June 19, 2020 (reference 02) unemployment insurance decision that denied benefits based upon her voluntarily quitting work without good cause attributable to the employer, QPS Employment Group, Inc. ("QPS") on May 2, 2019, and for failing to notify QPS within three working days of the completion of her last work assignment. The parties were properly notified of the hearing. A telephone hearing was scheduled for August 10, 2020. Mulnix appeared, but due to a power outage, the hearing could not be held. The employer did not register a telephone number for the hearing or appear. The hearing was rescheduled for August 13, 2020 at 8:30 a.m. During the hearing Mulnix testified she had worked for Casey's for several months after her separation date with QPS. I took administrative notice of Mulnix's unemployment insurance benefits records maintained by Iowa Workforce Development.

ISSUE:

Has the claimant requalified for benefits since the separation from this employer?

FINDINGS OF FACT:

A decision was issued on June 19, 2020, reference 02, finding Mulnix was ineligible for unemployment insurance benefits because she voluntarily quit her employment with QPS on May 2, 2019 and she failed to notify QPS within three working days of the completion of her last work assignment. The decision notified Mulnix she was disqualified from receiving unemployment benefits until she earned wages for insured work equal to ten times her weekly benefit amount after her separation date. Mulnix testified QPS paid her \$10.00 per hour and she worked 30 hours per week. Mulnix's earnings were nearly the same as the cost of childcare, so she quit and sought employment with Casey's. Mulnix testified she worked for Casey's for several months.

Having reviewed all the evidence in the record, the administrative law judge finds Mulnix has requalified for benefits since her separation from QPS on May 2, 2019. Since her separation from

QPS on May 2, 2019, Mulnix was paid wages for insured work equaling ten times her weekly benefit amount.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes Mulnix has requalified for benefits.

Iowa Code section 95.(1)g provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

At the time of her separation from QPS, Mulnix's weekly benefit amount was \$244. Since her separation from QPS, Mulnix was paid wages for insured work equaling ten times her weekly benefit amount. Accordingly, benefits are allowed and the account of QPS shall not be charged.

DECISION:

The June 19, 2020 (reference 02) unemployment insurance decision denying unemployment insurance benefits is reversed in favor of the claimant/appellant. Claimant has requalified for benefits since her May 2, 2019 separation from QPS Employment Group, Inc. Benefits are allowed provided the claimant is otherwise eligible. The account of QPS Employment Group, Inc. (account number 362504-000) shall not be charged.



Heather L. Palmer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

August 20, 2020
Decision Dated and Mailed

hlp/sam