

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ASHLEE R CRAWFORD
Claimant

APPEAL NO. 13A-UI-11646-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

MAINSTREAM LIVING INC
Employer

**OC: 09/08/13
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant filed an appeal from a representative's decision dated October 7, 2013, reference 02, which held that the claimant was ineligible for unemployment insurance benefits. After due notice, a hearing was held on November 7, 2013. The claimant participated personally. The employer participated by Marcanne Lynch, human resources manager. The record consists of the testimony of Ashlee Crawford and the testimony of Marcanne Lynch.

ISSUE:

Whether the claimant voluntarily left for good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony of the witnesses and having considered all of the evidence in the record, makes the following findings of fact:

The employer is a nonprofit agency that provides health care services to individuals. The claimant was hired on May 24, 2010, as a full-time support living technician. She resigned her position on August 29, 2012, in order to take a job with the Department of Natural Resources in Maryland. She worked there for ten months and was paid insured wages.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5-1-a 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:

a. The individual left employment in good faith for the sole purpose of accepting other or better employment, which the individual did accept, and the individual performed

services in the new employment. Benefits relating to wage credits earned with the employer that the individual has left shall be charged to the unemployment compensation fund. This paragraph applies to both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

The claimant is eligible for unemployment insurance benefits. The evidence established that she quit her job with the employer to accept other employment and that she performed services in this new employment. Benefits relating to wage credits earned with the employer that the claimant left shall be charged to the unemployment compensation fund.

DECISION:

The decision of the representative dated October 7, 2013, reference 02, is reversed. Unemployment insurance benefits are allowed, if the claimant is otherwise eligible.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/pjs