

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TIFFANY M REIS
Claimant

APPEAL NO: 10A-UI-16883-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

GAZETTE COMMUNICATIONS INC
Employer

**OC: 11/14/10
Claimant: Appellant (4)**

Section 96.5-1-a – Voluntary Quit/Other Employment

STATEMENT OF THE CASE:

The claimant appealed a department decision dated December 7, 2010, reference 01, that held she voluntarily quit employment without good cause attributable to the employer on October 30, 2010, and benefits are denied. A telephone hearing was held on January 24, 2011. The claimant participated. Janie Ricklefs, HR Manager, participated for the employer. Claimant Exhibit A and Employer Exhibits 1 and 2 was received as evidence.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having heard the witness testimony, and having considered the evidence in the record, finds: The claimant last worked for the employer as a part-time, full-time packager on October 30, 2010. The claimant resigned to go to work as a full-time housekeeper at St. Lukes Hospital with a prospective start date of November 8. The hospital position was a better job based on full-time hours and benefits. The claimant was issued a parking pass and she was given a work schedule. Prior to starting work, the new employer learned claimant had a medical restriction, and it chose not to employ her.

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 administrative law judge concludes that the claimant voluntarily quit employment for other/better employment that is for good cause effective October 30, 2010.

The measure of better employment is what the claimant understood to be regarding the improved work hours for full-time and benefits. The claimant is allowed benefits and the employer account is not charged.

DECISION:

The department decision dated December 7, 2010, reference 01, is modified. The claimant voluntarily quit with good cause for other/better employment on October 30, 2010. Benefits are allowed, provided the claimant is otherwise eligible. The employer is not liable (charged) for benefits paid to the claimant.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/css