

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**SHANE A BUTCHER**  
Claimant

**APPEAL NO. 19A-UI-00306-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GL DODGE CITY LLC**  
Employer

**OC: 12/02/18**  
**Claimant: Appellant (4)**

Iowa Code Section 96.5(1)(g) – Voluntary Quit & Requalification

**STATEMENT OF THE CASE:**

Shane Butcher filed a timely appeal from the January 4, 2019, reference 01, decision that held he was disqualified for benefits and the employer's account would not be charged for benefits, based on the deputy's conclusion that Mr. Butcher voluntarily quit on July 18, 2018 without good cause attributable to the employer. A hearing is scheduled for January 30, 2019 and the parties have been properly notified. The hearing in this matter was to be consolidated with the hearing in Appeal Number 19A-UI-00307-JTT. Upon review of the Agency's administrative record, the administrative law judge concludes that a hearing is unnecessary and that a decision favorable to both parties may be entered based on the Agency's administrative records alone.

**ISSUE:**

Whether Mr. Butcher requalified for unemployment insurance benefits following his July 2018 separation from G.L. Dodge City, L.L.C. and prior to establishing the unemployment insurance claim that was effective December 2, 2018.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: On January 4, 2019, an Iowa Workforce Development Benefits Bureau deputy entered a reference 01 decision that held claimant Shane Butcher was disqualified for benefits and the employer account of G.L. Dodge City, L.L.C. would not be charged for benefits, based on the deputy's conclusion that Mr. Butcher voluntarily quit without good cause attributable to the employer. Based on Iowa Workforce Development records, Mr. Butcher went on to other employment with Alliance Construction Group following his separation from G.L. Dodge City, L.L.C. and earned more than 10 times his weekly benefit amount from this new employment prior to establishing the original claim for benefits that was effective December 2, 2018. When Mr. Butcher established his claim for benefits, Iowa Workforce Development set his weekly benefit amount at \$431.00. Accordingly Iowa Workforce Development records Mr. Butcher's wages from the employment with Alliance Construction Group totaled \$9,800.00 from the start of the employment through November 30, 2018.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5(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.

The Agency's administrative records establish that Mr. Butcher requalified for unemployment insurance benefits following his separation from G.L. Dodge City, L.L.C. following his separation from that employer and prior to establishing the original claim for benefits that was effective December 2, 2018 by earning 10 times his weekly benefit amount through the additional insured work. Accordingly, Mr. Butcher is eligible for benefits in connection with the December 2, 2018 original claim provided he meets all other eligibility requirements. Because Mr. Butcher has requalified for benefits, there is no need to further inquire about the nature of his separation from G.L. Dodge City, L.L.C. The employer account of G.L. Dodge City, L.L.C. shall not be charged for benefits in connection with the claim. Instead wage credits associated with the G.L. Dodge City, L.L.C. employment shall be charged to the Unemployment Compensation Fund.

Because a decision favorable to both parties may be entered based on the Agency's administrative records, neither party is aggrieved by the January 4, 2019, decision. Accordingly, the appeal hearing set for 1:00 p.m. on January 30, 2019 is hereby cancelled.

**DECISION:**

The January 4, 2019, reference 01, decision is modified as follows. The claimant requalified for benefits subsequent to his separation from this employer and prior to establishing the original claim that was effective December 2, 2018. The claimant is eligible for benefits provided he meets all other eligibility requirements. The employer's account shall not be charged. Instead wage credits associated with the G.L. Dodge City, L.L.C. employment shall be charged to the Unemployment Compensation Fund.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/rvs