

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**VAUGHANN JOHNSON**  
Claimant

**THE AMERICAN BOTTLING COMPANY**  
Employer

**APPEAL 22A-UI-04446-JD-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 11/28/21  
Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Quit  
Iowa Code § 96.5 (2) a – Discharge for Misconduct

**STATEMENT OF THE CASE:**

On February 11, 2022, the claimant filed an appeal from the February 8, 2022, (reference 02) unemployment insurance decision that denied benefits based on a determination that the claimant voluntarily quit his employment on September 9, 2021. The parties were properly notified about the hearing. A telephone hearing was held on March 22, 2022. Claimant, Vaughann, Johnson, participated and testified. Employer did not call the toll-free number listed on the notice of hearing and did not participate. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Did the claimant quit the employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer in 2017. Claimant last worked as a full-time truck driver. Claimant was separated from employment on September 9, 2020, when he voluntarily quit his employment due to stress and depression. The claimant was notified by the State of Nebraska in August 2021 that he was in arrears on his child support obligations and owed back child support in excess of \$3,000.00. The employer had been garnishing the claimant's paycheck and sending those funds to the State of Nebraska. Those funds were not being properly recorded to the claimant's child support obligation. The stress of this situation created anxiety and stress for the claimant and he was not able to safely continue with his work so he voluntarily quit on September 9, 2020.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

Iowa Code section 96.5(1) 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.

Iowa Admin. Code r. 871-24.25 provides, in pertinent part  
:

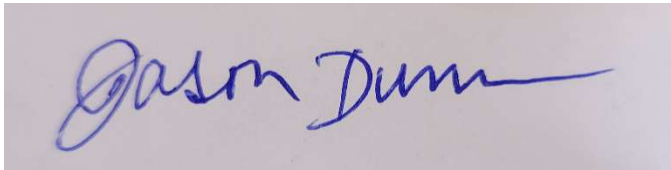
Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(20) The claimant left for compelling personal reasons; however, the period of absence exceeded ten working days.

The claimant testified that the stress of the child support situation increased his anxiety and depression and diverted his concentration from his job. The claimant determined that it was in his best interest to leave his employer. It is unclear why the claimant would not remain at his job while he sorted out the child support issue in order to remain employed and continue receiving his paycheck. The claimant's stated reasons for quitting were personal and attributable to his own personal reasons but not attributable to his employer. Benefits are denied.

**DECISION:**

The February 8, 2022, (reference 02) unemployment insurance decision is affirmed. Claimant voluntarily left the employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.



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Jason Dunn  
Administrative Law Judge  
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March 30, 2022  
Decision Dated and Mailed

jd/kmj