

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANGELA D HANSON**  
Claimant

**APPEAL NO. 11A-UI-05283-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ECONO LODGE**  
Employer

**OC: 03/27/11  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(20) – Person Reasons

**STATEMENT OF THE CASE:**

The claimant appealed a department representative's decision dated April 14, 2011, reference 01 that held she voluntarily quit without good cause on March 26, 2011, and which denied benefits. A hearing was held on May 18, 2011. The claimant participated. Pravin Patel, owner, and Shivong Patel, employee, participated for the employer.

**ISSUE:**

The issue is whether the claimant voluntary 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 that: The claimant started employment on September 1, 2007, and last worked as a full-time manager/desk clerk on March 25, 2011. The claimant's husband called and left a voice mail message for the employer that her father had a heart attack. They were traveling to Des Moines and she would be missing her Saturday work-shift. The claimant never called back to the employer about her work status availability while it was covering her work shifts after Saturday.

The employer did not know claimant had decided to quit her job until it received her notice of unemployment claimant on March 30. Claimant had decided not to return to work based on a discussion the employer had about some proposed job changes about a week before she left.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1 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.

871 IAC 24.25(20) provides:

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 administrative law judge concludes that the claimant voluntarily quit without good cause attributable to her employer effective March 25, 2011.

The claimant gave no notice to the employer she was quitting due to any proposed job change, and her reason for employment separation as communicated to the employer was based on attending to her father's illness. The claimant left her job and quit employment by filing an unemployment claim without providing a reason for doing so. The employer covered her shifts, believing she would return, and the claimant never called the employer to state she was not coming back after her father's illness.

**DECISION:**

The decision of the department representative dated April 14, 2011, reference 01, is affirmed. The claimant voluntarily quit without good cause attributable to the employer effective March 25, 2011. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/kjw