

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HEATHER S XAYASOUK
Claimant

APPEAL NO: 13A-UI-06811-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CASEY'S MARKETING COMPANY
Employer

OC: 05/12/13
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's May 30, 2013 determination (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because she voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant participated in the hearing. Clarissa Melka, the manager since mid-November 2012, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer in June 2012. The employer hired her to work as a part-time cashier. During her employment, the claimant worked extra hours, especially when other co-workers called in or were unable to work as scheduled. The claimant wanted to become a full-time employee and asked Melka to make her full time. This did not happen.

Initially, the claimant was scheduled to work on Mother's Day, May 12, from 4 to 11 p.m. Since this gave her time to be with her children on Mother's Day, the claimant would have worked this shift. The employer changed the claimant's shift and scheduled her to work 1 to 11 p.m. on Mother's Day. Since the employer had not made the claimant a full-time employee and had not scheduled a meeting employees wanted to discuss work issues yet, the claimant was frustrated. Changing her shift on Mother's Day was the final straw for the claimant. She was so frustrated she decided that she would not return to work. The claimant's last day of work was May 10. She did not contact the employer on May 12; she just did not report to work again.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). The claimant quit her employment as of May 12 when she failed to report to work or contact the employer again. When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6(2).

The claimant established personal reasons for quitting, but her reasons do not qualify her to receive benefits. As of May 12, 2013, the claimant is not qualified to receive benefits.

DECISION:

The representative's May 30, 2013 determination (reference 01) is affirmed. The claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of May 12, 2013. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs