

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

GENE T ANTHONY
Claimant

APPEAL NO. 12A-UI-00695-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GORDON SEVIG TRUCKING CO
Employer

OC: 12/11/11
Claimant: Appellant (1)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated January 9, 2012, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on February 17, 2012. The parties were properly notified about the hearing. The claimant participated in the hearing. MaryKay Strong participated in the hearing on behalf of the employer.

ISSUE:

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

FINDINGS OF FACT:

The claimant worked full time as an over-the-road truck driver from September 1999 to December 9, 2011. He typically would be out on the road on weekdays and be home on weekends. He voluntarily quit employment because his wife was disabled and he needed local work so that he could be home to care for her and do things around the house.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1. But Iowa Code § 96.5-1-c provides that a claimant shall not be disqualified if the department finds he left employment for the necessary and sole purpose of taking care of a member of the individual's immediate family who was then injured or ill, and if after said member of the family sufficiently recovered, the individual immediately returned to and offered the individual's services to the individual's employer, provided, however, that during such period the individual did not accept any other employment.

The claimant did not quit employment due to any reason attributable to the employer. He did leave to take care of his disabled wife but has not satisfied the rest of the requirements of Iowa Code § 96.5-1-c to receive benefits. There is no other provision of the law that grants benefits

that applies here. While the claimant had understandable and compelling reasons for quitting, the reasons do not qualify the claimant to receive benefits.

DECISION:

The unemployment insurance decision dated January 9, 2012, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs