

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

INES T KITOKO
Claimant

APPEAL NO. 21A-UI-25617-B2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

QPS EMPLOYMENT GROUP INC
Employer

**OC: 10/03/21
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated November 10, 2021, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on January 19, 2022. Claimant participated. Employer participated by Jessica Segner, Hannah Shoemaker, and Janine Morazan. Claimant's exhibit A was admitted into evidence. Interpretive services were provided by CTS Language Link.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on September 24, 2021. Claimant voluntarily quit her placement with Centro Inc. after that day as she was pregnant and tired. Claimant had her baby soon after quitting her work for employer. At the time of claimant's quit, there was ongoing work available for claimant had she not quit her work.

REASONING AND CONCLUSIONS OF LAW:

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.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she was going to have a baby in the near future. Claimant

arguably had a “good cause” to quit her employment as she was about to have a baby. But Iowa law requires that good cause to be “attributable to her employer” in order for a claimant to be able to receive unemployment benefits. Claimant’s pregnancy and her childbirth were not attributable to employer. She quit because of her pregnancy and impending childbirth. Therefore, claimant is not eligible for unemployment benefits.

DECISION:

The decision of the representative dated November 10, 2021, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant’s weekly benefit amount, provided claimant is otherwise eligible.



Blair A. Bennett
Administrative Law Judge

February 9, 2022

Decision Dated and Mailed

bab/abd