

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MEGAN L JONES
Claimant

APPEAL NO. 20A-UI-03047-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

SALLY BEAUTY SUPPLY LLC
Employer

OC: 03/22/20
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Federal Law PL 116-136 Sec. 2104 – Recovery of Overpayment of Federal Benefit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated April 9, 2020, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on May 7, 2020. Claimant participated and had witness Timothy Jones.

ISSUES:

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

Whether claimant is overpaid state and / or federal unemployment benefits?

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 June 29, 2019. Claimant voluntarily quit the job on that date as she was preparing to graduate from college.

Claimant has received state and federal benefits in this matter. Claimant has received \$390.00 in state benefits. Claimant has received \$2,400.00 in federal benefits.

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 soon to graduate from college.

Ordinarily “good cause” is derived from the facts of each case keeping in mind the public policy stated in Iowa Code Section 96.2. *O’Brien v. EAB* 494 N.W.2d 660, 662 (Iowa 1993) (citing *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986)). “The term encompasses real circumstances, adequate excuses that will bear the test of reason, just grounds for the action, and always the test of good faith.” *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986). “Common sense and prudence must be exercised in evaluating all of the circumstances that led to an employee’s quit in order to attribute the cause for the termination.” *Id.* While claimant’s quitting as she was approaching graduation from college is understandable, it is not for “*good cause attributable to the individual’s employer,*” italics added for emphasis.

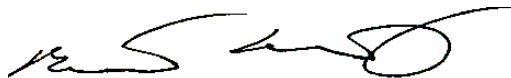
Note to Claimant: This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.

Claimant has been overpaid state and federal benefits in this matter. Claimant has been overpaid \$390.00 in state benefits. Claimant has been overpaid \$2,400.00 in federal benefits.

DECISION:

The decision of the representative dated April 9, 2020, 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.

Claimant has been overpaid state and federal benefits in this matter. Claimant has been overpaid \$390.00 in state benefits. Claimant has been overpaid \$2,400.00 in federal benefits.



Blair A. Bennett
Administrative Law Judge

May 26, 2020
Decision Dated and Mailed

bab/scn