

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT D WALLING**  
Claimant

**APPEAL NO: 13A-UI-07485-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**JEENS INC MCDONALDS**  
Employer

**OC: 06/02/13**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

Robert D. Walling (claimant) appealed a representative's June 17, 2013 decision (reference 01) that concluded he was not qualified to receive unemployment insurance benefits after a separation from employment with Jeens, Inc., McDonalds (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on July 30, 2013. The claimant participated in the hearing. Larae Scheer appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit for a good cause attributable to the employer?

**OUTCOME:**

Affirmed. Benefits denied.

**FINDINGS OF FACT:**

The claimant started working for the employer in about June 2008. He worked part time (30 – 35 hours per week) as a crew worker at the employer's Missouri Valley, Iowa store. His last day of work was April 23, 2013. He voluntarily quit effective that date, plus three days of vacation, by means of a notice of resignation tendered on April 1, 2013. He did not specify a reason for quitting to the employer. His personal reason for quitting was that due to family financial difficulties which was resulting in the loss of the claimant's home; a decision was made to quit the employment and for the claimant to move with his wife to live with other family in Florida. The claimant's job and hours with the employer had not changed, and the claimant's job was not in any jeopardy.

**REASONING AND CONCLUSIONS OF LAW:**

If the claimant voluntarily quit her employment, he is not eligible for unemployment insurance benefits unless it was for good cause attributable to the employer. Iowa Code § 96.5-1. Rule 871 IAC 24.25 provides that, 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. A voluntary leaving of employment requires an intention to terminate the employment relationship and an action to carry out that intent. *Bartelt v. Employment Appeal Board*, 494 N.W.2d 684 (Iowa 1993); *Wills v. Employment Appeal Board*, 447 N.W.2d 137, 138 (Iowa 1989). The claimant did express or exhibit the intent to cease working for the employer and did act to carry it out. The claimant would be disqualified for unemployment insurance benefits unless he voluntarily quit for good cause.

The claimant has the burden of proving that the voluntary quit was for a good cause that would not disqualify him. Iowa Code § 96.6-2. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3), (4). Leaving for personal financial or family reasons, even though compelling, are not good cause for quitting where there is no cause attributable to the employer. 871 IAC 24.25(20), (23). Quitting in order to relocate with a spouse is also a good personal reason but is not attributable to the employer. 871 IAC 24.25(2), (10). The claimant has not satisfied his burden. Benefits are denied.

**DECISION:**

The representative's June 17, 2013 decision (reference 01) is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. As of April 26, 2013, benefits are withheld until such time as the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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