

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AARON J STYRE**  
Claimant

**APPEAL NO. 12A-UI-11693-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**AREA AMBULANCE AUTHORITY**  
Employer

**OC: 09/02/12**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Aaron Styre filed a timely appeal from a representative's decision dated September 20, 2012, reference 01, which denied unemployment insurance benefits. After due notice was provided, a telephone hearing was held on October 24, 2012. Claimant participated. Although duly notified, the employer's witnesses were not available at the telephone number provided.

**ISSUE:**

The issue is whether the claimant left employment with good cause that was attributable to the employer.

**FINDINGS OF FACT:**

Having considered all of the evidence in the record, the administrative law judge finds: Aaron Styre began employment with the Area Ambulance Authority in December 2011. The claimant was hired to work as a part-time emergency medical technician working in a "floater" position. Mr. Styre was paid by the hour. His immediate supervisor was Jennifer Peden. Mr. Styre left his employment voluntarily on August 18, 2012 after providing two weeks' notice of his intention to leave.

At the time of hire Mr. Styre was specifically informed by Area Ambulance Authority that because of his "floater" position he would not be retained as a company employee if he attended school or had any other outside obligations which interfered with the company's ability to assign him to work duties on short notice as a fill in floater worker. Mr. Styre accepted the terms of employment and usually worked 40 or more hours per week for the company.

Prior to tendering his resignation from employment, Mr. Styre attempted to secure a permanent scheduled position with Area Ambulance Authority so that his educational pursuits would not interfere with his work, however, no permanent, non floater positions were available to the claimant at that time. The claimant realized that if he was not available to work floater assignments due to outside commitments such as going to school, the employer would not allow him to continue in employment. Mr. Styre, therefore, elected to resign his position to

protect his employment history. Mr. Styre made a personal choice to follow his educational pursuits and to relinquish his position with Area Ambulance Authority. Work continued to be available to Mr. Styre in his regular part-time floater capacity at the time that he chose to leave employment.

### **REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes that the claimant left employment with good cause that was attributable to the employer. It does not.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

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.

871 IAC 24.25(26) provides:

Voluntary quit without good cause. 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. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(26) The claimant left to go to school.

The evidence in the record establishes that Mr. Styre was informed at the time of hire that because of the nature of the "floater" position that he was accepting, he would be required to be available to work various shifts and days on short notice and that he would not be able to continue in the floater position if he went to school or had any other outside obligations that prevented him from being available to fill a variety of shifts on short notice. Mr. Styre accepted the terms of employment. Subsequently, Mr. Styre made a decision to return to school and follow his educational pursuits. Prior to leaving employment, Mr. Styre attempted to secure a permanent scheduled position with the company, however, no positions of that nature were available at the time. The claimant realized that when he went back to school he would not be able to fulfill his obligation as a floater and that if he missed assigned work shifts he would eventually be discharged from employment. Mr. Styre elected to quit his job and follow his educational pursuits.

While the claimant's reasons for following his educational pursuits and quitting his employment with the company were undoubtedly good cause reasons from his personal viewpoint, they were not good cause reasons that were attributable to the employer. The claimant understood the nature of his employment and its requirements but chose to leave the employment and its requirements so that he could attend school. Claimant's reasons for leaving were not attributable to the employer but attributable to his desire for self improvement. As there was no change in the original agreement of hire and work continued to be available to the claimant in

his regular capacity, the administrative law judge must conclude that the claimant left employment without good cause attributable to the employer. Unemployment insurance benefits are withheld.

**DECISION:**

The representative's decision dated September 20, 2012, reference 01, is affirmed. Claimant left employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, and is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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