

Midwest in Cedar Rapids, Iowa, from August 3, 2005 through September 8, 2005. He stopped reporting to work thereafter because he had moved into a shelter and had lost his means of transportation to and from work.

#### REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence establishes that the claimant left employment with good cause 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.

The claimant has the burden of proof. See Iowa Code section 96.6-2. According to 871 IAC 24.25(1) an individual who leaves work because of a lack of transportation to the work site leaves work without good cause attributable to the employer, unless the employer has agreed to furnish transportation. The evidence in this record establishes that Mr. Tyler provided his own transportation. Under these circumstances, separation from employment because of a lack of transportation is a disqualifying separation.

#### DECISION:

The unemployment insurance decision dated September 30, 2005, reference 01, is affirmed. Benefits are withheld until the claimant has worked in and has been wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

kkf/kjw