

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**KEISHA WALKER**  
Claimant

**CHI NATIONAL HOME CARE**  
Employer

**APPEAL 19A-UI-07451-AW-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/01/19**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the September 18, 2019 (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing was held on October 14, 2019, at 11:00 a.m. Claimant participated. Employer participated through Rebecca Oliva, Manager. No exhibits were admitted.

**ISSUE:**

Whether claimant's separation was a voluntary quit without good cause attributable to employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed as a full-time Team Coordinator from October 1, 2018 until her employment with CHI National Home Care ended on August 30, 2019. (Claimant Testimony) Claimant worked Monday through Friday from 8:00 a.m. until 5:00 p.m. (Claimant Testimony) Claimant's direct supervisor was Jennie Stoessel, Manager of Office Operations. (Claimant Testimony)

On July 8, 2019 claimant resigned in writing effective July 18, 2019, because she was moving. (Claimant Testimony) Employer accepted claimant's resignation. (Oliva Testimony) On July 17, 2019 claimant requested an extension of her resignation effective date. (Claimant Testimony) Employer granted claimant's request. (Oliva Testimony) Employer was in the process of hiring claimant's replacement. (Oliva Testimony) On July 29, 2019, claimant informed employer that she was not moving and no longer wanted to resign. (Claimant Testimony; Exhibit B) Employer informed claimant that it had accepted her resignation on July 8, 2019 and that her last day would be August 30, 2019. (Oliva Testimony)

Claimant's only reason for resigning was that she was moving. (Claimant Testimony) Employer had continuing work available to claimant had she not resigned. (Oliva Testimony) Claimant's job was not in jeopardy. (Oliva Testimony)

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant voluntarily quit her employment without good cause attributable to employer. Benefits are denied.

Iowa Code § 96.5(1) provides: An individual shall be disqualified for benefits, if the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Iowa Admin. Code r. 871-24.25(37) 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:

(37) The claimant will be considered to have left employment voluntarily when such claimant gave the employer notice of an intention to resign and the employer accepted such resignation.

Claimant's resignation was accepted by employer. Therefore, claimant voluntarily quit her employment without good cause attributable to employer. Benefits are denied.

**DECISION:**

The September 18, 2019 (reference 01) unemployment insurance decision is affirmed. Claimant voluntarily quit her employment without good cause attributable to employer. Benefits are denied until claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Decision Dated and Mailed

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