

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICHARD FARMER
Claimant

APPEAL NO: 13A-UI-05284-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ALUM LINE INC
Employer

OC: 04/07/13
Claimant: Appellant (1)

Iowa Code § 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

Richard Farmer (claimant) appealed an unemployment insurance decision dated April 26, 2013, reference 01, which held that he was not eligible for unemployment insurance benefits because he voluntarily quit his employment with Alum Line, Inc. (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on June 6, 2013. The claimant participated in the hearing. The employer participated through Gary Gooder, President and Jeff McAllister, Operations Manager. Employer's Exhibit One was admitted into evidence. This case was heard by Administrative Law Judge Julie Elder. Before a decision could be issued Judge Elder went on an indefinite leave of absence. The case was re-assigned to Administrative Law Judge Susan Ackerman per direction from lead worker Administrative Law Judge Teresa Hillary. Judge Ackerman is hereby issuing a decision based upon the taped recording of the hearing and the exhibits admitted into the record.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies him to receive unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time welder from March 6, 2003 through March 27, 2013 when he voluntarily quit after the employer denied his request for a personal leave of absence. During his employment, he had received eight warnings for attendance before he received a final warning on February 14, 2013. The claimant was struggling through legal battles with a divorce and child custody and only had three days of paid time off left. He requested a personal leave of absence but the employer denied it due to the backlog of work. The employer prepared a resignation notice which the claimant signed on March 29, 2013.

REASONING AND CONCLUSIONS OF LAW:

The issue to be determined is whether the reasons for the claimant's separation from employment qualify him to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if he voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1.

It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify him. Iowa Code § 96.6-2. He quit on March 29, 2013 because the employer denied his request for a leave of absence and he knew that eventually he would be terminated due to excessive absenteeism. While the claimant may have had compelling personal reasons to quit his employment, these reasons were not attributable to the employer. Benefits are denied.

DECISION:

The unemployment insurance decision dated April 26, 2013, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/css