

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHAEL W JOHNSTON
Claimant

IHOP 5425
Employer

APPEAL NO. 12A-UI-00030-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 11/27/11
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated December 21, 2011, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on January 31, 2012. The parties were properly notified about the hearing. The claimant participated in the hearing. Scott Newberry participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The claimant worked part time as a dishwasher for the employer from August 18, 2008, to October 22, 2011.

The claimant was living with his brother and sister-in-law while he worked for the employer. His brother died and the claimant no longer had a place to live. As a result, the claimant voluntarily quit his employment and moved to the St. Louis area to live with his mother because he did not have any other place to live.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. The rules state that a claimant who quits employment to move to another locality has quit without good cause attributable to the employer. 871 IAC 24.25(2).

While I understand the reasons why the claimant had to quit his job when he lost his housing, those reasons were not caused by the employer. The law does not provide benefits for situations such as this.

DECISION:

The unemployment insurance decision dated December 21, 2011, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs