

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JENE A ZARBANO**  
Claimant

**APPEAL NO. 08A-UI-01506-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**JENSEN BUILDERS LTD**  
Employer

**OC: 01/06/08 R: 01  
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Jene Zarbano filed an appeal from a representative's decision dated February 5, 2008, reference 03, which denied benefits based on his October 5, 2007 separation from Jensen Builders, Ltd. (Jensen). After due notice was issued, a hearing was held by telephone on March 12, 2008. Mr. Zarbano participated personally. The employer participated by Matt Jacobsen, Foreman; Mick McBride, Human Resources Manager; and Nate Galles, General Superintendent.

**ISSUE:**

At issue in this matter is whether Mr. Zarbano was separated from employment on October 5, 2007 for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Zarbano began working for Jensen on June 11, 2007 as a full-time concrete finisher. He left the employment voluntarily on October 5, 2007 for personal reasons. He quit because of difficulties in his marriage. There were no work-related reasons for the separation. Continued work would have been available if he had not quit.

Mr. Zarbano subsequently returned to work for Jensen on October 31, 2007 and was separated on or about November 23, 2007. The latter separation is addressed in Appeal 08A-UI-01603-CT.

**REASONING AND CONCLUSIONS OF LAW:**

An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). The term "good cause attributable to the employer" generally refers to some matter over which the employer has control. Mr. Zarbano quit his employment in October for personal reasons having to do with his marriage. Where an individual leaves employment due

to serious family needs or responsibilities, his separation is not for good cause attributable to the employer. See 871 IAC 24.25(23).

Because Mr. Zarbano's October separation was not for any cause attributable to the employer, it is a disqualifying event. As such, benefits are denied.

**DECISION:**

The representative's decision dated February 5, 2008, reference 03, is hereby affirmed. Mr. Zarbano quit his employment with Jensen on October 5, 2007 for no good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he satisfies all other conditions of eligibility.

---

Carolyn F. Coleman  
Administrative Law Judge

---

Decision Dated and Mailed

cfc/css