

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROGER A ELLIOT**  
Claimant

**WORLDWIDE TRANSPORTATION  
LOGISTICS INC**  
Employer

**APPEAL NO. 12A-UI-09929-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 07/22/12**  
**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

The employer appealed a department representative's decision dated August 13, 2012, reference 01, that held the claimant voluntarily quit with good cause on July 19, 2012, and benefits are allowed. A hearing was held on September 17, 2012. The claimant participated. The employer did not participate. Claimant Exhibit A was received as evidence.

**ISSUE:**

The issue is whether the claimant voluntary quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witness, and having considered the evidence in the record, finds that: The claimant started work as a full-time over-the-road truck driver beginning July 27, 2010 and last worked on July 19, 2012. On July 18, 2012 the employer notified claimant that its account did not have sufficient funds to cover the paycheck issued to him. This was the third occasion where this had occurred. Claimant resigned from employment on July 19 due to the difficulty he had receiving his pay.

The employer failed to call in and respond to the hearing notice.

**REASONING AND CONCLUSIONS OF LAW:**

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 administrative law judge concludes that the claimant voluntarily quit with good cause attributable to his employer when he resigned on July 19, 2012 due to difficulty he had in receiving his pay.

The claimant's reason for quitting is recognized by law as a good cause for leaving employment. Claimant offered documentation to support his testimony that there were three occasions where he did not receive his pay timely due to employer funding issues.

**DECISION:**

The decision of the department representative dated August 13, 2012, reference 01, is affirmed. The claimant voluntary quit with good cause attributable to the employer on July 19, 2012. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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