

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**ALPHONSO W OLDS**  
Claimant

**USPS**  
Employer

**APPEAL 21A-UI-17346-JC-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/25/21**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Code § 96.5(2)a – Discharge for Misconduct

**STATEMENT OF THE CASE:**

Claimant/Appellant, Alphonso W. Olds, filed an appeal from the August 3, 2021 (reference 01) unemployment insurance decision that denied benefits. After due notice was issued, a hearing was held on October 1, 2021. The hearing was held together with Appeal 21A-UI-17347-JC-T. Claimant participated personally. Official notice was taken of the administrative record. Department Exhibit A, and Claimant Exhibits 1, 2, and 3 were admitted.

**ISSUES:**

Did claimant voluntarily quit the employment with good cause attributable to employer?  
Was the claimant discharged for disqualifying job-related misconduct?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant established a claim for unemployment insurance benefits effective April 26, 2020. Claimant worked as full-time in PSE Services and Distribution for USPS between October 10, 2020 and November 3, 2020 in San Luis Obispo, California. He separated from employment on November 25, 2020.

Claimant did not perform work between November 3, 2020 and November 25, 2020 after his father passed away on November 4, 2020. Claimant's father lived in Brooklyn, New York, had no other children and was not married. Claimant went to New York to handle his father's affairs. Claimant stated he could not return back to California until he had a death certificate so that he could receive any benefits left to him. Claimant did not have money to return to California. Claimant stated due to COVID-19, the death certificate was not received until December 2020. He remained in New York until January 8, 2021.

Claimant had notified employer of his father passing away and was approved time off for bereavement. However, claimant had only worked for the employer for less than a month and in his probationary period. Employer informed claimant it could not hold the position open after November 25, 2020, and separation occurred.

In March 2021, claimant reapplied for employment with USPS in Oceanside, California.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge affirms the initial decision denying benefits.

Iowa unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code §§ 96.5(1) and 96.5(2)a. They remain disqualified until such time as they requalify for benefits by working and earning insured wages ten times their weekly benefit amount. *Id.*

Iowa Admin. Code r. 871-24.25(20) 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:

(20) The claimant left for compelling personal reasons; however, the period of absence exceeded ten working days.

The claimant in this case worked for the employer for less than one month when his father passed away. Claimant went to New York to address matters related to his father on November 4, 2020 and did not return home until January 8, 2021. Had claimant not been in New York, there is no evidence to suggest he could not have been working for employer. The administrative law judge is very sympathetic to the claimant's situation, and recognizes he had compelling personal reasons for being absent for more than ten days. However, based on the evidence presented, the administrative law judge concludes the claimant is disqualified for benefits pursuant to § 96.5(1) and Iowa Admin. Code r. 871-24.25(20).

**DECISION:**

The August 3, 2021 (reference 01) initial decision is AFFIRMED. The claimant voluntarily quit the employment without 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 benefit amount, provided he is otherwise eligible.



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Jennifer L. Beckman  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax 515-478-3528

October 5, 2021  
Decision Dated and Mailed

jlb/scn

**NOTE TO CLAIMANT:** This decision determines you are not eligible for regular unemployment insurance benefits. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision. Individuals who do not qualify for regular unemployment insurance benefits, but who are unemployed or continue to be unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>. If this decision becomes final or if you are not eligible for PUA, you may have an overpayment of benefits.

**ATTENTION:** On May 11, 2021, Governor Reynolds announced that Iowa will end its participation in federal pandemic-related unemployment benefit programs effective June 12, 2021. The last payable week for PUA in Iowa will be the week ending June 12, 2021. Additional information can be found in the press release at <https://www.iowaworkforcedevelopment.gov/iowa-end-participation-federal-unemployment-benefit-programs-citing-strong-labor-market-and>.

You may find information about food, housing, and other resources at <https://covidrecoveryiowa.org/> or at <https://dhs.iowa.gov/node/3250>

Iowa Finance Authority also has additional resources at <https://www.iowafinance.com/about/covid-19-ifa-recovery-assistance/>