

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LAUREN L FITZ
Claimant

APPEAL NO. 08A-UI-08253-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WW GRAINGER INC
Employer

OC: 08/17/08 R: 03
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Lauren L. Fitz filed a timely appeal from an unemployment insurance decision dated September 5, 2008, reference 01, that disqualified her for benefits following her separation from employment with WW Grainger, Inc. After due notice was issued, a telephone hearing was held September 30, 2008 with Ms. Fitz participating and presenting additional testimony by Janet Riley. The employer did not respond to the hearing notice.

ISSUE:

Did the claimant leave employment with good cause attributable to the employer?

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Lauren L. Fitz was employed by WW Grainger, Inc. from July 1991 until she resigned August 8, 2008. She last worked full time as a customer service representative. Ms. Fitz worked for the company in Waterloo, Iowa. Ms. Fitz resigned in order to move from the Waterloo area to Missouri to be nearer her family following a divorce.

REASONING AND CONCLUSIONS OF LAW:

The question is not whether the claimant had good personal cause to leave employment. Instead, it is whether the claimant had good cause attributable to the employer for her resignation. For the reasons which follow, the administrative law judge concludes that she did not.

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 evidence establishes that the claimant resigned to move to a different locality for personal reasons. A resignation in order to move to a different locality is considered to be one without good cause attributable to the employer. See 871 IAC 24.25(2). Benefits must be withheld.

DECISION:

The unemployment insurance decision dated September 5, 2008, reference 01, is affirmed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs