

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAWN M COFFIN

Claimant

APPEAL NO. 06A-UI-10043-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

AMERICAN HOME SHIELD CORP

Employer

**OC: 09/03/06 R: 12
Claimant: Appellant (1)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Dawn Coffin, filed an appeal from a decision dated October 4, 2006, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on October 30, 2006. The claimant participated on her own behalf. The employer, American Home Shield Corporation (AHS), participated by Human Resources Coordination Connie Janning, Authorization Manager Tony Lile, Authorization Supervisor Tricia Savka and was represented by Employers Unity in the person of Rachel Thompson.

ISSUE:

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

FINDINGS OF FACT:

Dawn Coffin was hired by American Home Shield from November 29, 2004 until September 1, 2006. She was a full-time options specialist. On August 14, 2006, she submitted a written resignation to Authorization Supervisor Tricia Savka. She was moving out of state with her spouse. Continuing work was available to her had she not quit.

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.

871 IAC 24.25(2) 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:

(2) The claimant moved to a different locality.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6(2).

While claimant's decision to quit to move to another area was based upon good personal reasons it was not a good-cause reason attributable to the employer for leaving. Benefits are denied.

DECISION:

The representative's decision of October 4, 2006, reference 01, is affirmed. Dawn Coffin is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/cs