

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TREDARRIUS M CANADY**  
Claimant

**APPEAL NO. 16A-UI-07441-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ENTERPRISE RENT-A-CAR COMPANY**  
Employer

**OC: 06/12/16**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit  
Section 96.5-1-c - Voluntary Quit for Care of Family Member

**STATEMENT OF THE CASE:**

TreDarius Canady (claimant) appealed a representative's June 30, 2016, decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he voluntarily quit work with Enterprise Rent-A-Car (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for July 26, 2016. The claimant participated personally. The employer participated by Joshua Maubach, Area Rental Manager. The claimant offered and Exhibit A was received into evidence.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on July 16, 2014, as a full-time management trainee. On May 2, 2016, the claimant sent a text to the employer requesting a leave of absence to take care of his sister. The employer told the claimant to take care of the situation. On or about May 11, 2016, the employer sent the claimant a text and a voicemail asking him to fill out the Family Medical Leave Act (FMLA) paperwork by the deadline of May 20, 2016. The employer sent the FMLA paperwork to the claimant by e-mail. The claimant did not respond to the employer and did not open the e-mail because he was busy taking care of his sister. He needed to care for his sister for one month. After that, his mother could care for her.

The claimant did not submit the FMLA application to the employer. On May 23, 2016, the employer sent the claimant a letter asking the claimant to respond or he would be considered to have abandoned his job as of May 31, 2016. The claimant did not have any contact with the employer since May 2, 2016. On May 31, 2016, the employer considered the claimant to have abandoned his job.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

Iowa Code § 96.5-1-c 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. But the individual shall not be disqualified if the department finds that:

c. The individual left employment for the necessary and sole purpose of taking care of a member of the individual's immediate family who was then injured or ill, and if after said member of the family sufficiently recovered, the individual immediately returned to and offered the individual's services to the individual's employer, provided, however, that during such period the individual did not accept any other employment.

The claimant left work to take care of his sister who was ill. The claimant needed to care for his sister for one month. That month ended on June 2, 2016. The claimant did not immediately return to and offer his services to the employer after he finished caring for his sister. The claimant has failed to meet the requirements of the statute and, therefore, is not eligible to receive unemployment insurance benefits.

**DECISION:**

The representative's June 30, 2016, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount, provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs