

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TAYLOR SEARLES
Claimant

GOVERNMENT EMPLOYEES INS CO
[AKA] GEICO
Employer

APPEAL 20A-UI-08403-J1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/03/20
Claimant: APPELLANT (1R)

Iowa Code § 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

On July 13, 2020, the claimant filed an appeal from the July 7, 2020, (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified about the hearing. A telephone hearing was held on August 28, 2020. Claimant participated. Employer participated through Representative Frankie Patterson. Administrative notice was taken of IWD computer screen, DBRO and WAGE.

ISSUES:

Whether claimant voluntarily quit employment without good cause attributable to the employer?
Whether claimant has earned enough wages to requalify for unemployment benefits?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer on October 2, 2018. Claimant last worked full-time in June 2019. Claimant was separated from employment on about June 30, 2019, when claimant resubmitted a resignation. Claimant quit his employment due to a personal medical condition and has not returned to work for GEICO.

Claimant's weekly benefit amount is \$300.00. Claimant worked for Merchant Investment's Inc. (dba Jimmy Johns) in the third quarter of 2019 and was paid \$400.00. Claimant testified that he returned to work for Merchant Investment's Inc. on January 15, 2020. Claimant believes he has earned more than \$2,600.00 from Merchant Investment's Inc. in 2020.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(1)g provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant voluntarily quit his employment at GEICO without good cause attributable to his employer.

The claimant provided testimony indicating that he may have earned ten times his weekly benefit amount. Claimant said that he had pay stubs that would show how much he has earned. I am remanding the case to the Benefits Bureau to determine if claimant has requalified for benefits.

DECISION:

Regular Unemployment Insurance Benefits Under State Law

The July 7, 2020, (reference 01) unemployment insurance decision is affirmed. Benefits are withheld until such time as claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

The case is remanded to the Benefits Bureau to determine if claimant has requalified for benefits.

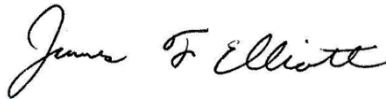
Pandemic Unemployment Assistance (PUA) Under the Federal CARES Act

Even though claimant is not eligible for regular unemployment insurance benefits under state law, claimant may be eligible for federally funded unemployment insurance benefits under the CARES Act. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if he or she is eligible for such compensation for the week claimed. This decision does not address when claimant is eligible for PUA. For a decision on such eligibility, claimant must apply for PUA, as noted in the instructions provided in the "Note to Claimant" below.

NOTE TO CLAIMANT:

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. 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.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** For more information about how to apply for PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-information>
<https://www.iowaworkforcedevelopment.gov/Pua-application>



James F. Elliott
Administrative Law Judge

August 31, 2020
Decision Dated and Mailed

je/scn