

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SASA BORCIC**  
Claimant

**APPEAL NO. 09A-UI-15601-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADECCO USA INC**  
Employer

**OC: 11/16/08**  
**Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Sasa Borcic, filed an appeal from a decision dated October 13, 2009, reference 02. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 18, 2009. The claimant participated on his own behalf. The employer, Adecco, participated by Staffing Consultant Marsha Heck and was represented by TALX in the person of Tom Kuiper.

**ISSUE:**

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

**FINDINGS OF FACT:**

Sasa Borcic was employed by Adecco from November 26, 2008 until July 30, 2009. He was assigned to Met-Life during that entire time. The claimant notified Adecco and his supervisor at Met Life he was quitting in order to move out of state with his spouse. The assignment was ongoing and his job was not in jeopardy.

**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(10) 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:

(10) The claimant left employment to accompany the spouse to a new locality.

The sole reason for the claimant's resignation was to move out of state with his spouse. Under the provisions of the above Administrative Code section, this is a voluntary quit without good cause attributable to the employer. The claimant is disqualified.

**DECISION:**

The representative's decision of October 13, 2009, reference 02, is affirmed. Sasa Borcic is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css