

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

AMY L FLAM
Claimant

APPEAL NO. 06A-UI-10108-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

YOUNG HOUSE FAMILY SERVICES INC
Employer

OC: 09/24/06 R: 04
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Amy Flam, filed an appeal from a decision dated October 13, 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 31, 2006. The claimant participated on her own behalf. The employer, Young House, participated by Human Resources Director Sue Beer and Supervisor Caleb Akey.

ISSUE:

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

FINDINGS OF FACT:

Amy Flam was employed by Young House from January 26 until July 22, 2006. She was a part-time youth care worker.

On July 10, 2006, the claimant submitted a written resignation to Program Director Michelle. She was being treated for high blood pressure and her cardiologist told her she could either work or continue with her college courses, but not both at the same time. She elected to quit and continue with her education.

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(26) 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:

(26) The claimant left to go to school.

The claimant elected to quit work and devote herself to school. While this may constitute good personal cause, it does not constitute good cause attributable to the employer. The claimant is disqualified.

DECISION:

The representative's decision of October 13, 2006, reference 01, is affirmed. Amy Flam 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