

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JOHNNIE COX
Claimant

FUTURE FOAM INC
Employer

APPEAL NO. 14A-UI-05804-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/11/14
Claimant: Appellant (1)

Iowa Code § 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

Johnnie Cox (claimant) appealed an unemployment insurance decision dated June 2, 2014, (reference 01), which held that he was not eligible for unemployment insurance benefits because he voluntarily quit his employment with Future Foam, Inc. (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on June 27, 2014. The claimant participated in the hearing. The employer did not comply with the hearing notice instructions and did not call in to provide a telephone number at which a representative could be contacted, and therefore, did not participate.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies him to receive unemployment insurance benefits.

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 approximately August 16, 2009, as a full-time laborer. He left his employment on May 7, 2014, to relocate to Texas to be with his family. The claimant loved his employment and would have liked to take the company with him to Texas.

REASONING AND CONCLUSIONS OF LAW:

The issue to be determined is whether the reasons for the claimant's separation from employment qualify him to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if he voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1. Quitting to move to a different locality is presumed to be a voluntary quit without good cause attributable to the employer. 871 IAC 24.25(2).

The claimant has the burden of proving that the voluntary quit was for a good reason that would not disqualify him. Iowa Code § 96.6-2. The evidence demonstrates he left his employment on May 7, 2014, because he moved to Texas. While the claimant may have had compelling personal reasons to voluntarily quit his employment, these reasons do not constitute good cause attributable to the employer. Benefits are therefore denied.

DECISION:

The unemployment insurance decision dated June 2, 2014, (reference 01), is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs