

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LACY GEER
Claimant

PILOT TRAVEL CENTERS LLC
Employer

APPEAL 20A-UI-04555-J1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 3/22/20
Claimant: APPELLANT (1)**

Iowa Code § 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

On May 25, 2020, the claimant filed an appeal from the May 18, 2020, (reference 01) unemployment insurance decision that denied benefits based on voluntary quit without good cause. The parties were properly notified about the hearing. A telephone hearing was held on June 10, 2020. Claimant participated. Employer did not participate.

ISSUE:

Did claimant quit his employment without good cause attributable to the employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer in early February 2020. Claimant last worked as a full-time as a kitchen manager. Claimant was separated from employment on March 16, 2020, when she submitted her resignation. Claimant was informed on that day that the schools had closed and she needed to be home for her children. Claimant's child had upper respiratory issues and the claimant had some underlying health concerns that created concern for claimant's continued work for her employer.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(1) 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

Iowa Admin. Code r. 871-24.25(17) 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:

(17) The claimant left because of lack of child care.

Claimant had good personal reasons for resigning her position. However, her reasons were not attributable to the employer. Claimant voluntarily quit her employment without good cause attributable to her employer.

Note to Claimant: This decision determines you are not eligible for regular unemployment insurance benefits. 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. Individuals who do not qualify for regular unemployment insurance benefits due to disqualifying separations, but who are currently unemployed for reasons related to COVID-19 may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** Additional information on how to apply for PUA can be found at <https://www.iowaworkforcedevelopment.gov/pua-information>.

DECISION:

The May 18, 2020, (reference 01), decision denying benefits is affirmed.



James F. Elliott
Administrative Law Judge

June 25, 2020
Decision Dated and Mailed

je/mh