

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**SHAQUITA TERRELL**  
Claimant

**SECURITAS SECURITY SERVICES USA**  
Employer

**APPEAL NO. 20A-UI-10666-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/10/20**  
**Claimant: Appellant (5R)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated August 31, 2020, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on October 20, 2020. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

**ISSUES:**

Whether claimant quit for good cause attributable to employer?

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on May 20, 2020. After that date claimant, who was 8 months pregnant and had a sick child at home, and employer reached an agreement that claimant would be off from work for a period of time, as other people where claimant had work had encountered Covid and claimant and her family were at high risk. Claimant continues to be off from work to this day.

Claimant stated that she is still a part of employer's employment list and has not been listed as a job separation. Employer called claimant on July 20, 2020 asking claimant to call employer when she was ready to return to work and called again on October 6, 2020. On that date claimant expressed an interest in returning and employer began an updated background check on claimant.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5(1) provides:

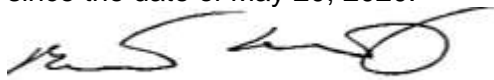
An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

The administrative law judge holds that the evidence has failed to establish that claimant has been permanently separated from her job. As testimony was received that claimant was not separated from her job, and the employer did not participate in the hearing, this matter will be remanded to the fact finder to make a determination as to whether claimant was on a leave of absence after the date of May 20, 2020 and if the leave occurred, how long the leave extended.

**DECISION:**

The decision of the representative dated August 31, 2020, reference 02, is modified to reflect that there was not a job separation with no change in effect at this time. This matter is remanded to the fact finder for determination as to whether claimant was on a leave of absence since the date of May 20, 2020.



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Blair A. Bennett  
Administrative Law Judge

October 22, 2020  
Decision Dated and Mailed

bab/sam