

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JUSTIN J RAMSEY
Claimant

GENERAL MILLS OPERATIONS LLC
Employer

APPEAL 20A-UI-09929-J1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/31/20
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

On August 17, 2020, the claimant filed an appeal from the August 13, 2020, (reference 01) unemployment insurance decision that denied benefits based on voluntary quit. The parties were properly notified about the hearing. A telephone hearing was held on September 28, 2020. Claimant participated. Employer participated through Brooke Moore, Manager and Thomas Kuiper, Hearing Representative.

ISSUE:

Did claimant have good cause under Iowa unemployment law to quit his employment?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant began working for employer on July 24, 2017. Claimant last worked as a full-time warehouse worker. Claimant was separated from employment on June 2, 2020 when he resigned. Claimant resigned as his wife obtained a new job in Florida. Claimant has children. Due to Covid-19 claimant was unable to find day care for his 10-year old child. Claimant made the decision to quit his employment and provide child care for his children. Claimant had planned to resign sometime in the fall of 2020, but had to resign in June due to child care and Covid-19 issues. The employer had work available for the claimant. Claimant left in good standing.

Pandemic Unemployment Assistance (PUA) Under the Federal CARES Act

Even though claimant is not eligible for regular unemployment insurance benefits under state law, claimant may be eligible for federally funded unemployment insurance benefits under the CARES Act. Section 2102 of the CARES Act creates a new temporary federal program called Pandemic Unemployment Assistance (PUA) that in general provides up to 39 weeks of unemployment benefits. An individual receiving PUA benefits may also receive the \$600 weekly benefit amount (WBA) under the Federal Pandemic Unemployment Compensation (FPUC) program if he or she is eligible for such compensation for the week claimed. This decision does not address when

claimant is eligible for PUA. For a decision on such eligibility, claimant must apply for PUA, as noted in the instructions provided in the "Note to Claimant" at the end of the decision.

REASONING AND CONCLUSIONS OF LAW:

For the reasons set forth below I find that claimant did not have good cause as defined by Iowa unemployment law for quitting his employment and is not eligible for regular state unemployment benefits.

Iowa Admin. Code r. 871-24.25(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 claimant resigned and moved with his wife and family to Florida. While the claimant's quit was for good personal reasons it is not considered good cause for unemployment insurance purposes. Claimant is not eligible for regular unemployment benefits.

DECISION:

Regular Unemployment Insurance Benefits Under State Law

The August 13, 2020, (reference 01) unemployment insurance decision is affirmed. Benefits are withheld until such time as claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

NOTE TO CLAIMANT:

- This decision determines you are not eligible for regular unemployment insurance benefits under state law. 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.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **You will need to apply for PUA to determine your eligibility under the program.** For more information about how to apply for PUA, go to:

<https://www.iowaworkforcedevelopment.gov/pua-informatio>
<https://www.iowaworkforcedevelopment.gov/Pua-application>



James F. Elliott
Administrative Law Judge

September 30, 2020
Decision Dated and Mailed

je/sam