

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JUDY K AUSTIN**  
Claimant

**APPEAL NO. 14A-UI-04816-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CDS GLOBAL INC**  
Employer

**OC: 04/13/14  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated April 30, 2014, reference 01, that concluded the claimant had voluntarily quit employment without good cause. A telephone hearing was held on May 29, 2014. The claimant participated in the hearing. Jill Murtaugh participated in the hearing on behalf of the employer.

**ISSUE:**

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

**FINDINGS OF FACT:**

The claimant worked for the employer as a customer service representative from January 21, 2013, to March 14, 2014. The claimant voluntarily quit employment to relocate to Arizona because her house was in foreclosure and she needed to move to find housing.

The claimant submitted a two-week notice on March 7 stating her resignation would be effective March 21, but the employer decided to advance her last day of work due to low call volume.

The claimant filed a new claim for unemployment insurance benefits with an effective date of April 13, 2014.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. 871 IAC 24.25(2) provides that a claimant who quits employment to move to a different locality is presumed to have voluntarily quit employment without good cause attributable to the employer.

The claimant's relocation to Arizona due to her housing situation is understandable but this reason for quitting employment does not meet the definition of good cause attributable to the employer found in the unemployment insurance law.

The rules provide that if a claimant gives notice of resigning at a future date but the employer discharges the claimant before the effect date of the resignation, the claimant is eligible for benefits for the time he or she was prevented from working. 871 IAC 24.25(38). In this case, however, the claimant did not apply for unemployment insurance benefits until April 13, 2014, which was after the effective date of her resignation so this rule does not apply.

**DECISION:**

The unemployment insurance decision dated April 30, 2014, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs