

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CRYSTAL G GAUNT**  
Claimant

**APPEAL NO. 11A-UI-03478-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PEAK INTERESTS LLC  
PIZZA HUT**  
Employer

**OC: 02/06/11  
Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Crystal Gaunt, filed an appeal from a decision dated March 14, 2011, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on April 11, 2011. The claimant participated on her own behalf. The employer provided a telephone number to the Appeals Section. That number was dialed at 9:00 a.m. and the phone was answered by Karen. She indicated the designated witness, Barb Stutzman, was not present. A message was left indicating the hearing would proceed without the employer's participation unless a witness contacted the Appeals Section at the toll-free number prior to the close of the record. By the time the record was closed at 9:08 a.m. the employer had not responded to the message and did not participate in the hearing or request a postponement of the hearing as required by the hearing notice.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Crystal Gaunt was employed by Pizza Hut from January 22 through 30, 2011, as a part-time server/delivery driver. She gave a verbal resignation to Assistant Manager Rajean because her daughter was sick and she had to stay home and care for her.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

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 claimant quit to take care of her ill daughter. While this may constitute good personal cause it does not constitute good cause attributable to the employer. The claimant is disqualified.

**DECISION:**

The representative's decision of March 14, 2011, reference 01, is affirmed. Crystal Gaunt is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css