

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CHRISTOPHER R CROSSETT**  
Claimant

**APPEAL NO: 13A-UI-10914-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARE INITIATIVES**  
Employer

**OC: 07/28/13**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(37) – Resignation

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated September 17, 2013, reference 02, that held he voluntarily quit without good cause attributable to his employer on August 3, 2013, and benefits are denied. A telephone hearing was held on October 17, 2013. The claimant participated. Alyce Smolsky, Representative, Maureena Prakish, DON at Lantern Park, and Amy Butterbrodt, HR representative, participated for the employer. Employer Exhibit 1 and Claimant Exhibit A was received as evidence.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the stipulation of the claimant and employer and having considered the evidence in the record finds: The claimant worked for the employer as a full-time C.N.A. from May 29, 2012 to August 23, 2013. He resigned his job.

**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.

871 IAC 24.25(37) 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:

(37) The claimant will be considered to have left employment voluntarily when such claimant gave the employer notice of an intention to resign and the employer accepted such resignation. This rule shall also apply to the claimant who was employed by an educational institution who has declined or refused to accept a new contract or reasonable assurance of work for a successive academic term or year and the offer of work was within the purview of the individual's training and experience.

The administrative law judge concludes the claimant voluntarily quit without good cause attributable to his employer due to resignation for personal reasons effective August 23, 2013.

**DECISION:**

The department decision dated September 17, 2013, reference 02, is affirmed. The claimant voluntarily quit without good cause due to his resignation effective August 23, 2013. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times his weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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