

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MANAL MAKHLOUF
Claimant

HOMEGOODS INC
Employer

APPEAL NO. 20A-UI-12229-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/14/20
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit
Iowa Code § 96.4-3 – Able and Available

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated September 22, 2020, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on November 18, 2020. Claimant participated. Employer participated by Gary Risch.

ISSUES:

Whether claimant quit for good cause attributable to employer?

Whether claimant is able and available for work?

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 February 20, 2020. Claimant voluntarily quit her job on February 20, 2020 because she had a sick child. Employer stated that claimant was quitting for other employment, but claimant denied this. Claimant did put in a two weeks' notice before her quit. Claimant did not try to get her job back when her child had recovered.

There was ongoing work available for claimant if she had not chosen to quit her job.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(1) provides:

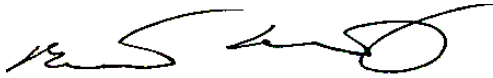
An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she wanted to care for a sick child. Although the administrative law judge struggles with this reasoning as claimant put in a two weeks' notice, claimant has not shown that she quit for good cause attributable to employer.

DECISION:

The decision of the representative dated September 22, 2020, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until 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.



Blair A. Bennett
Administrative Law Judge

November 30, 2020
Decision Dated and Mailed

bab/mh