

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**EVA E SANDOVAL**  
Claimant

**APPEAL NO: 12A-UI-12289-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**  
Employer

**OC: 10/05/12**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(19) – Compelling Personal Reason

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated October 5, 2012, reference 02, that held she voluntarily quit employment without good cause on December 18, 2011, and benefits are denied. A telephone hearing was held on November 7, 2012. The claimant participated. Dan Tallman, Staffing Consultant, participated for the employer.

**ISSUE:**

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

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witnesses, and having considered the evidence in the record, finds: The claimant most recently worked for the employer as a full-time production assistant at Oral B from April 12, 2011 to December 18, 2011. She quit her job when her grandmother passed away and went to California. She stayed there until her return to Iowa in March 2012.

**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(20) 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:

(20) The claimant left for compelling personal reasons; however, the period of absence exceeded ten working days.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on December 18, 2011 due to a compelling personal reason.

While claimant quit her job for a good personal reason, it is not considered attributable to the employer. It is not a good cause due to the length of her California stay.

**DECISION:**

The department decision dated October 5, 2012 reference 02 is affirmed. The claimant voluntarily quit without good cause attributable to the employer on December 18, 2011. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times her 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

rls/css