

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHERYL K SLAUGHTER
Claimant

APPEAL NO. 11A-UI-01133-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

COMFORT CARE MEDICARE INC
Employer

OC: 11/28/10
Claimant: Respondent (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated January 18, 2011, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on March 2, 2011. Claimant participated. Employer participated by Carol Wadell, Branch Manager. Exhibit One was admitted into evidence.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

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 November 18, 2010. Claimant worked as a caregiver. The client passed away which ended the assignment. No further work was available after November 18, 2010. Employer did make some calls to claimant about jobs. Employer never actually offered work in person or by certified mail.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because there was no further work available. Once the client passed away the need for claimant's services ended. This is a separation for cause attributable to employer. Benefits allowed.

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.

DECISION:

The decision of the representative dated January 18, 2011, reference 01, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/css