

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CARLIE DEVER**  
Claimant

**ABCM CORPORATION**  
Employer

**APPEAL 16A-UI-06173-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/08/16  
Claimant: Appellant (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

Carlie Dever (claimant) filed an appeal from the May 26, 2016, (reference 01) unemployment insurance decision that denied benefits based upon the determination she voluntarily quit her employment when ABCM Corporation (employer) accepted her resignation which is not a good cause reason attributable to the employer. The parties were properly notified about the hearing. A telephone hearing was held on June 20, 2016. The claimant participated personally. The employer participated through Human Resources Coordinator Geri Gulbranson.

**ISSUE:**

Did the claimant voluntarily quit the employment with good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed part-time as a Recreation Therapy Assistant beginning on January 9, 2014, and was separated from employment on May 3, 2016. The claimant was attending school while working for the employer. Her degree requires her to complete an internship. The claimant applied for and was accepted to an internship program in Chicago, Illinois. On April 3, 2016, she gave her supervisor 30-days' notice that she would be quitting to move due to her internship.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer. Benefits based upon wages credited from this employer's account are denied.

Iowa Code § 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.

Iowa Admin. Code r. 871-24.25(2) and (26) 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 § 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 § 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:

(2) The claimant moved to a different locality.

(26) The claimant left to go to school.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). "Good cause" for leaving employment must be that which is reasonable to the average person, not the overly sensitive individual or the claimant in particular. *Uniweld Products v. Indus. Relations Comm'n*, 277 So.2d 827 (Fla. Dist. Ct. App. 1973). In this case, the claimant left her job to complete her schooling. While the claimant's decision to leave her employment may have been based upon good personal reasons, it was not for a good-cause reason attributable to the employer according to Iowa law. Benefits based upon wages credited from this employer's account must be denied.

**DECISION:**

The May 26, 2016, (reference 01) unemployment insurance decision is affirmed. The claimant voluntarily left the employment without good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Stephanie R. Callahan  
Administrative Law Judge

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Decision Dated and Mailed

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