

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KATHI K SHARP**  
Claimant

**APPEAL NO. 12A-UI-01491-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CASEY'S MARKETING COMPANY**  
Employer

**OC: 01/01/12**  
**Claimant: Appellant (2)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated February 3, 2012, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on March 1, 2012. The parties were properly notified about the hearing. The claimant failed to participate in the hearing as she was not available at the number she had provided for the hearing. Sara Luebbert participated in the hearing on behalf of the employer. Exhibit One was admitted into evidence at the hearing.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full-time for the employer as a store manager of Council Bluffs store from October 7, 2004, to December 15, 2011. Sara Luebbert, the area supervisor, was the claimant's supervisor.

In mid-December 2011, the employer was in the process of opening up a new store and closing the old store. The new store was built across the street from the old store. While the old store was open from 5 a.m. to 11 p.m., the new store was going to open 24 hours. The claimant was to continue as store manager of the new store. The new store was planned for a long time, and the claimant never raised any objection to the 24-hour store.

The claimant was off work due to medical issues starting December 15, 2011. On December 19, 2011, the claimant submitted her resignation stating that she did not want to manage a 24-hour store. The claimant's work hours would not have changed in the new store. The employer accepted the claimant's resignation.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

The evidence fails to show the claimant had good cause attributable to the employer to quit her job. There is no evidence that the employer breached the employment contract, created intolerable working conditions, or there was any other good cause to quit.

**DECISION:**

The unemployment insurance decision dated February 3, 2012, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/kjw