

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHAD E NELSON
Claimant

APPEAL NO: 14A-UI-00702-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXIDE TECHNOLOGIES
Employer

OC: 12/15/13
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit
871 IAC 24.25(19) – Self-employment

STATEMENT OF THE CASE:

The claimant appealed a department decision dated January 6, 2014 reference 02 that held he voluntarily quit employment without good cause on August 5, 2013, and benefits are denied. A telephone hearing was held on February 5, 2014. The claimant did not participate. Tim Guyer, HR Manager, 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 witness testimony and having considered the evidence in the record finds: The claimant was hired on November 18, 2010, and last worked for the employer as a full-time maintenance employee on September 2, 2013. Claimant gave notice to the employer he was quitting to begin a self-employment business and the employer accepted the resignation.

Claimant failed to respond to the hearing notice.

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(19) 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:

(19) The claimant left to enter self-employment.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on September 2, 2013 due to enter self-employment.

While claimant left work for a good personal reason, it is not a good cause to qualify for unemployment.

DECISION:

The department decision dated January 6, 2014 reference 02 is affirmed. The claimant voluntarily quit without good cause attributable to the employer on September 2, 2013. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times his weekly benefit amount, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/css