

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEXTER D BROWN
Claimant

APPEAL NO. 08A-UI-06505-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRST INC
Employer

OC: 04/20/08 R: 12
Claimant: Respondent (2)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

CRST, Inc. filed an appeal from a representative's decision dated July 9, 2008, reference 01, which denied the employer relief from charges for benefits paid to Dexter Brown by another state. After due notice was issued, a hearing was held by telephone on July 30, 2008. The employer participated by Sandy Matt, Human Resources Specialist. Mr. Brown did not respond to the notice of hearing.

ISSUE:

At issue in this matter is whether the employer should be relieved of charges on its Iowa account for benefits paid to Mr. Brown by another state.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Brown was employed by CRST, Inc. from May 2 until July 20, 2007 as an over-the-road driver. He notified the employer that he was quitting because of personal issues at home and because he accepted work elsewhere. Continued work would have been available if he had not quit.

Mr. Brown filed a claim for job insurance benefits in Illinois effective April 20, 2008. The State of Iowa transferred wage credits to Illinois to be combined with wage credits he had in that state. Illinois is responsible for determining Mr. Brown's entitlement to benefits.

REASONING AND CONCLUSIONS OF LAW:

The only issue before the administrative law judge is whether CRST, Inc. should be relieved of charges on its Iowa account for benefits paid to Mr. Brown by the State of Illinois. The employer is entitled to a relief from charges if Mr. Brown's separation constituted a disqualifying event under Iowa law. He voluntarily quit his employment with CRST, Inc. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1).

Mr. Brown cited personal issues at home and new employment as the reason for his quit. An individual who leaves employment due to serious family needs or responsibilities is presumed to have quit for no good cause attributable to the employer. See 871 IAC 24.25(23). Mr. Brown did not participate in the hearing to establish that he did, in fact, have an offer of other employment when he left CRST, Inc. Therefore, a quit for other employment within the meaning of Iowa Code section 96.5(1)a has not been established.

After considering all of the evidence, the administrative law judge concludes that Mr. Brown quit his employment for no good cause attributable to the employer. As such, his separation was a disqualifying event that entitles the employer to a relief from benefit charges relative to the employment that ended on July 20, 2007. This decision does not address Mr. Brown's entitlement to benefits as that determination is left to the State of Illinois.

DECISION:

The representative's decision dated July 9, 2008, reference 01, is hereby reversed. CRST, Inc. is relieved of charges on its Iowa account for benefits paid to Mr. Brown, as his separation was a disqualifying event under Iowa law.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/kjw