

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MEGAN L GROUT
Claimant

APPEAL NO: 14A-UI-08853-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

US BANK NATIONAL ASSOCIATION
Employer

OC: 08/03/14
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's August 25, 2014 determination (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because the claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant participated at the September 12 hearing. Scott Kinney appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer on August 27, 2013. The claimant worked as a full-time credit specialist. The claimant was on maternity leave from March 4 through May 19, 2014. The claimant's newborn child was on a heart monitor until August 7. Daycare providers would not take care of the claimant's child because of the heart monitor.

The claimant worked until June 6 because her mother-in-law came to Iowa and took care of her grandchild until June 6. When the claimant's mother-in-law was in Iowa, the employer made accommodations so the claimant could take her child to medical appointments. After the claimant's mother-in-law went back to California, the claimant did not have any other relative or anyone else to take care of her baby.

At a May 19 doctor's appointment, the claimant understood her child might be on a heart monitor for a year. The employer would have tried to make accommodations if the claimant knew with some certainty how long her child would be on a heart monitor. The claimant quit her employment on June 6, because she could not find anyone to take care of a child on a heart monitor and she wanted to leave on good terms so the employer would possibly rehire her.

When the claimant's child was taken off the heart monitor on August 7, the employer did not have a job available when the claimant was again able to and available for work. But Kinney

found another job at another location for the claimant. The employer rehired the claimant and she is to start working for the employer again on September 23, 2014.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6(1). The claimant's situation with her newborn is somewhat unique, but basically the claimant could not find a childcare provider who could immediately care for her newborn child. 871 IAC 24.25(17). The claimant established personal reasons for quitting and as a result of leaving on good terms, the employer rehired her. Even though the claimant was in a difficult situation, she ultimately quit her employment for reasons that do not qualify her to receive benefits. As of August 3, 2014, the claimant is not qualified to receive benefits.

DECISION:

The representative's August 25, 2014 determination (reference 01) is affirmed. The claimant voluntarily quit her employment for personal reasons, but her reasons do not qualify her to receive benefits. As of August 7, 2014, the claimant is disqualified from receiving unemployment insurance benefits. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css