

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERT J KING
Claimant

APPEAL NO. 07A-UI-03441-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MID-STEP SERVICES INC
Employer

**OC: 03/04/07 R: 01
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Robert J. King (claimant) appealed a representative's March 22, 2007 decision (reference 01) that concluded he was not qualified to receive unemployment insurance benefits, and the account of Mid-Step Services, Inc. (employer) would not be charged because the claimant voluntarily quit his employment for reasons that do not qualify him to receive unemployment insurance benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 30, 2007. The claimant participated in the hearing. Jan Hackett, the human resource coordinator, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant voluntarily quit his employment for reasons that qualify him to receive unemployment insurance benefits?

FINDINGS OF FACT:

The claimant started working for the employer on September 13, 2002. The claimant worked full time as a home care assistant. After two employees reported the claimant had been abusive to some residents, the employer called the claimant to the office to discuss the allegations. During this discussion, the employer informed the claimant the complaint had been forwarded to the State to investigate. The employer also told the claimant he had to go on an unpaid leave until the State announced its findings. The claimant then asked if he could resign. The employer informed the claimant he could resign, but the State would still investigate the incident. The claimant submitted his resignation. The claimant then wrote out a written resignation. The claimant's resignation was effective immediately on March 7, 2007.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment for reasons that do not qualify him to receive unemployment insurance benefits. Iowa Code § 96.5-1. The facts establish the claimant voluntarily quit his employment on

March 7, 2007. When a claimant quits, he has the burden to establish he quit for reasons that qualify him to receive unemployment insurance benefits. Iowa Code § 96.6-2.

The facts establish the claimant quit his employment for compelling personal reasons that do not qualify him to receive unemployment insurance benefits. Therefore, as of March 4, 2007, the claimant is not qualified to receive unemployment insurance benefits.

DECISION:

The representative's March 22, 2007 decision (reference 01) is affirmed. The claimant voluntarily quit his employment for reasons that do not qualify him to receive unemployment insurance benefits. The claimant is disqualified from receiving unemployment insurance benefits as of March 4, 2007. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css