

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARIANNE E GOOD
Claimant

APPEAL NO. 11A-UI-05205-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

RMG DIRECT INC
Employer

OC: 03/13/11
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated April 15, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on May 16, 2011. Employer participated by Dominic Colella, vice president, and Niko Simone, director of human resources. Claimant did participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds: Claimant was employed from October 2007 through March 15, 2011. She was a telephone sale representative. She quit her employment because of the cost of commuting. The claimant was employed at the Manchester, Iowa, location until February 22, 2011. The Manchester facility was closing on February 25, 2011, and the claimant, along with other employees, was offered jobs at other locations. The claimant chose the Independence, Iowa, location in exchange for a \$2.00 per hour raise in pay. She worked at Independence for a few days and then decided that the cost of commuting was too expensive. She had not received her first paycheck with the pay raise at the time she quit.

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.

Claimant quit due to commuting distance, but she knew this distance when she accepted the job in Independence. This reason for leaving employment is without good cause attributable to the employer. 871 IAC 24.25(30).

DECISION:

The decision of the representative dated April 15, 2011, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/kjw