

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARLA J HEISHMAN**  
Claimant

**APPEAL NO. 09A-UI-06239-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TARGET CORPORATION**  
Employer

**Original Claim: 02/22/09  
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Marla Heishman filed an appeal from a representative's decision dated March 30, 2009, reference 01, which denied benefits based on her separation from Target Corporation. After due notice was issued, a hearing was held by telephone on May 19, 2009. Ms. Heishman participated personally and offered additional testimony from Ashley Heishman. The employer participated by Gloria Downing, ETL Replenishment.

**ISSUE:**

At issue in this matter is whether Ms. Heishman was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Heishman was employed by Target from June of 2007 until October 26, 2008. She was employed full time performing overnight stocking. She quit the employment when her husband's job transferred him to Colorado. Her husband was not employed by Target. Her relocation was the sole reason for Ms. Heishman's separation.

Prior to leaving the Ankeny store where she worked, Ms. Heishman inquired about transferring to a Target store in the area where she was moving to. Although there were stores in the area that were hiring, the stores contacted by the employer would not accept her as a transfer.

**REASONING AND CONCLUSIONS OF LAW:**

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). The term "good cause attributable to the employer" generally refers to some matter over which the employer has control. In the case at hand, Ms. Heishman quit her job because her husband's job relocated him out of state. Although she had good personal cause for quitting, it was not attributable to Target.

An individual who leaves employment to accompany a spouse to a new locality is presumed to have left employment without good cause attributable to the employer. 871 IAC 24.25(10). For this reason, Ms. Heishman is not eligible to receive job insurance benefits.

**DECISION:**

The representative's decision dated March 30, 2009, reference 01, is hereby affirmed. Ms. Heishman quit her employment with Target for no good cause attributable to the employer. Benefits are withheld until she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw