

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**CHANTHALA RATSAVONG**

Claimant

**BRIDGESTONE AMERICAS TIRE**

Employer

**APPEAL NO. 14A-UI-06558-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/18/14**

**Claimant: Appellant (2)**

Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated June 11, 2014, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on July 16, 2014. Claimant participated. Employer participated by Jim Funcheon. Employer's Exhibits One and Two were admitted into evidence. Steve Baccam provided interpretation services for this hearing.

**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 considered all of the evidence in the record, finds: Claimant last worked for employer on March 27, 2014. Ms. Ratsavong brought employer a request for a leave of absence, and a doctor's letter, requesting that she return to Laos to see her sick father. This request was denied by employer. Employer was going to try further to get claimant's request granted. Employer asked claimant to call in the next Monday to see if employer could get the request granted. Claimant did not call in. Employer then attempted to arrange two meetings during the time period when claimant had said she would be in Laos. Claimant did not attend. Claimant did not make it to work on the dates when she had requested off and was terminated from her employment. Employer believed that claimant had voluntarily given up her position.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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.

Iowa Code § 96.5-1-c 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. But the individual shall not be disqualified if the department finds that:

c. The individual left employment for the necessary and sole purpose of taking care of a member of the individual's immediate family who was then injured or ill, and if after said member of the family sufficiently recovered, the individual immediately returned to and offered the individual's services to the individual's employer, provided, however, that during such period the individual did not accept any other employment.

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she went to visit her ailing father in Laos. Claimant had attempted to alert her employer prior to her leaving to attend to her sick father. The sole purpose of her trip was to attend to her father's needs. Claimant returned immediately after her visit and offered her services back to employer. Claimant did not take other employment in the interim period of time.

**DECISION:**

The decision of the representative dated June 11, 2014, reference 01, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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