

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MILDREN I ELDER

Claimant

APPEAL NO. 08A-UI-00378-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

RUTHVEN COMMUNITY CARE CENTER INC

Employer

**OC: 12/09/07 R: 12
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Mildren Elder filed an appeal from a representative's decision dated January 2, 2008, reference 02, which denied benefits based upon her separation from Ruthven Community Care Center. After due notice was issued, a hearing was scheduled for and held by telephone on January 28, 2008. Ms. Elder participated personally. The employer participated by Ms. Dee Pyle, administrator, and Lisa Reiman, director of nursing.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all the evidence in the record, finds: The claimant last worked for this employer from March 2002 until September 30, 2007, when she voluntarily left employment to relocate to a different geographic area for better healthcare. Ms. Elder was employed as a part-time certified nursing assistant and was paid by the hour.

The claimant left her employment without advance notice, indicating she was moving to the state of Michigan, where she believed that she could obtain the services of a doctor at affordable prices. The claimant suffers from diabetes and felt that she would receive better care in that area. Work continued to be available to the claimant at the time that she chose to leave.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge concludes, based upon the evidence in the record, that the claimant did not leave employment for reasons that were attributable to Ruthven Community Care Center, Inc. The claimant left due to her personal desire to obtain better healthcare in a different geographic area. While the claimant's reasons for leaving were undoubtedly good from her personal viewpoint, they were not attributable to the employer, thus disqualifying under the provisions of the Iowa Employment Security Act.

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.

For the reasons stated herein, the administrative law judge concludes that the claimant left employment for reasons that are disqualifying. Unemployment insurance benefits are withheld.

DECISION:

The representative's decision dated January 2, 2008, reference 02, is hereby affirmed. The claimant quit for reasons not attributable to this employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times the claimant's weekly benefit amount, provided the claimant meets all other eligibility requirements of Iowa law.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw