

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LORENE F BOSTON**  
Claimant

**APPEAL NO. 09A-UI-11064-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**HEYL TRUCK LINES INC**  
Employer

**Original Claim: 07/05/09  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Lorene Boston filed a timely appeal from a representative's decision dated July 29, 2009, reference 01, that denied benefits based upon her separation from Heyl Truck Lines, Inc. After due notice was issued, a telephone conference hearing was scheduled for and held on August 18, 2009. The claimant participated personally. The employer participated by Mr. Keith Pease, director of safety.

**ISSUE:**

At issue is whether the claimant voluntarily quit employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered all the evidence in the record, the administrative law judge finds: Lorene Boston was employed as an over-the-road tractor trailer driver for Heyl Truck Lines, Inc. from October 30, 2002, until April 11, 2009, when she voluntarily quit employment. Ms. Boston requested a leave of absence from employment effective October 29, 2008, to assist her husband, who had a serious medical condition. Upon the expiration of the leave of absence, the claimant's husband returned to employment with Heyl Truck Lines; however, Ms. Boston elected not to return to available employment.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes that the claimant voluntarily left employment for reasons not attributable to the employer.

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.

The evidence in the record establishes that the claimant had been employed by Heyl Truck Lines and had left on a leave of absence to assist her husband, who had a serious medical condition. At the expiration of the leave of absence, Ms. Boston's husband returned to available employment with Heyl Truck Lines but the claimant elected not to do so. Work was available to the claimant but she chose not to return, for personal reasons that were not attributable to the employer. Benefits are withheld.

**DECISION:**

The representative's decision dated July 29, 2009, reference 01, is affirmed. The claimant is disqualified until she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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