

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GERALD R ROBBINS**  
Claimant

**APPEAL NO. 11A-UCX-00007-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ALORICA**  
Employer

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

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Gerald Robbins filed an appeal from a representative's decision dated March 29, 2011, reference 01, which denied benefits based on his separation from Alorica. After due notice was issued, a hearing was held by telephone on May 3, 2011. Mr. Robbins participated personally. The employer did not respond to the notice of hearing.

**ISSUE:**

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

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Robbins was employed by Alorica from December 28, 2010 until February 22, 2011. He worked full time as a customer service agent. He was living in Sioux City at the time of hire and knew the job was located in North Sioux City, South Dakota, approximately 30 minutes from his home. He also knew the rate of pay at the time of hire.

Mr. Robbins quit his job because the brakes on his vehicle were failing. Because he did not have reliable transportation, he tried getting rides from coworkers. However, they were charging more than he was willing to pay. The car pools that were available through work did not go to his side of town. Because of the transportation issue, Mr. Robbins quit. He was unhappy with his wages but was paid the agreed-upon amount. He did not have any offers of other work at the time he quit. But for his transportation issues, he would have remained with Alorica.

**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 § 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, Mr. Robbins quit because he did not have

reliable transportation to and from work. The employer was not responsible for his transportation. An individual who quits employment due to lack of transportation is presumed to have left work without good cause attributable to the employer unless the employer had agreed to provide transportation. 871 IAC 24.25(1).

Inasmuch as Alorica had not agreed to provide Mr. Robbins with transportation to and from work, his separation was not for good cause attributable to the employer. As such, benefits are denied.

**DECISION:**

The representative's decision dated March 29, 2011, reference 01, is hereby affirmed. Mr. Robbins quit his employment without good cause attributable to the employer. Benefits are denied until he has worked in and been paid wages for insured work equal to ten times his weekly job insurance benefit amount, provided he is otherwise eligible.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/pjs