

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PATRICIA J ROE

Claimant

APPEAL NO. 11A-EUCU-00539-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE UNIVERSITY OF IOWA

Employer

OC: 04/11/10

Claimant: Appellant (2)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated June 6, 2011, reference 01, that concluded she voluntarily quit employment on October 2, 2009, without good cause attributable to the employer. A telephone hearing was held on July 7, 2011. The parties were properly notified about the hearing. The claimant participated in the hearing. No one participated in the hearing on behalf of the employer. The employer sent a letter stating it would not be participating in the hearing and that the claimant's position had been eliminated before she applied for early retirement. Exhibit One was admitted into evidence at the hearing.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The claimant worked for the employer until October 2, 2009, when her position was eliminated. She filed for the early retirement incentive program but only because her employment was going to be terminated. She has not retired from the labor force. She worked in the bookstore for the employer on a temporary job from January 12 to 26, 2010, and then was laid off.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a.

The evidence fails to show the claimant voluntarily quit employment or was discharged for misconduct. She is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

DECISION:

The unemployment insurance decision dated June 6, 2011, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css