

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
<b>WILLIE J WRIGHT</b> Claimant	<b>APPEAL NO. 17A-UI-10328-TNT</b>
<b>KRAFT HEINZ FOODS COMPANY</b> Employer	<b>ADMINISTRATIVE LAW JUDGE DECISION</b>
	<b>OC: 05/21/17</b> <b>Claimant: Appellant (1)</b>

Iowa Code § 96.5(1) -- Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from a representative's decision dated October 2, 2017, reference 01, which denied unemployment insurance benefits, finding the claimant voluntarily quit work on September 1, 2017 without good cause attributable to the employer. After due notice was provided, a telephone conference hearing was held on October 26, 2017. Claimant participated. The employer's witness was not available at the telephone number provided and two telephone messages were left.

**ISSUE:**

The issue is whether the claimant left employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered all of the evidence in the record, the administrative law judge finds: Willie Wright was employed by Kraft Heinz Foods Company from January 7, 2013 until on or about September 1, 2017, when he discontinued reporting for scheduled work because he had moved to the state of Mississippi to care for his mother. Mr. Wright was employed as a full-time lead preparation worker and was paid by the hour.

Mr. Wright left his employment with the Kraft Heinz Food Company after completing his work shift on August 31, 2017. Mr. Wright traveled to the state of Mississippi with the intention of staying in that location to provide care and assistance to his mother who was aging. Prior to leaving employment, Mr. Wright had not secured a leave of absence nor had the claimant informed the employer of his intention to relocate. Although, Mr. Wright had not informed the employer that his was quitting his job, Mr. Wright did not intend to return to his job, but to stay in the state of Mississippi and provide care to his mother as long as necessary.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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 Admin. Code r. 871-24.25(2) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(2) The claimant moved to a different locality.

Iowa Admin. Code r. 871-24.25(23) provides:

The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(23) The claimant left voluntarily due to family responsibilities or serious family needs.

The claimant demonstrated his intent to quit by moving to a different geographic area to care for his mother and his intent to remain in the new geographic area to provide that care.

Prior to leaving employment, Mr. Wright did not request a leave of absence or a leave that may have allowed him to return to work when his care responsibilities to his mother had been completed. Claimant gave no notice to the employer that he intended to quit or return at a later date.

While Mr. Wright's reasons for leaving his employment with Kraft Heinz Foods Company to care for his aged mother were undoubtedly good-cause reasons from a personal viewpoint, they were not good-cause reasons that were attributable to the employer. Accordingly, Mr. Wright is disqualified from unemployment insurance benefits until he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount and is otherwise eligible.

**DECISION:**

The representative's decision dated October 2, 2017, reference 01, is affirmed. Claimant voluntarily quit employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount and is otherwise eligible.

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Terry P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

rvs/rvs