

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTINE PARKS

Claimant

APPEAL NO: 13A-UI-11811-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GENESIS HEALTH SYSTEM

Employer

OC: 09/22/13

Claimant: Appellant (1)

Iowa Code § 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

Christine Parks (claimant) appealed an unemployment insurance decision dated October 11, 2013, reference 01, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Genesis Health System (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on November 13, 2013. The claimant participated in the hearing. The employer participated through Amy Haiar, Human Resources Assistant.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits?

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired on July 6, 2006 as a full-time home healthcare aide. She put in written notice to quit on October 8, 2013 because she was going to take a private position with a family but that job fell through.

REASONING AND CONCLUSIONS OF LAW:

The issue to be determined is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if she voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1.

The evidence demonstrates the claimant voluntarily quit on October 8, 2013 to go into self-employment. The law presumes it is a quit without good cause attributable to the employer when an employee leaves to enter self-employment. 871 IAC 24.25(19).

The claimant has the burden of proving that the voluntary quit was for a good reason that would not disqualify her. Iowa Code § 96.6-2. She failed to meet that burden. The claimant's separation may have been for good personal reasons but it cannot be attributed to the employer. Benefits are denied accordingly.

DECISION:

The unemployment insurance decision dated October 11, 2013, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/pjs