

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HILDA P GUNDRUM
Claimant

APPEAL NO. 12A-UI-04095-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DM SERVICES INC
Employer

OC: 03/11/12
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated April 6, 2012, reference 01, that concluded the claimant had voluntarily quit employment without good cause. A telephone hearing was held on May 3, 2012. The claimant participated in the hearing. Monica Rodriguez participated in the hearing on behalf of the employer.

ISSUE:

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

FINDINGS OF FACT:

The claimant worked for the employer as a credit specialist from February 28, 2011, to February 18, 2012.

The claimant voluntarily quit her employment on February 18, 2012, because she and her husband needed to move to Michigan after her stepchildren were placed in foster care due to the birth mother's involvement with drugs. The claimant and her husband are trying to obtain permanent custody of the children. They currently have temporary custody but are not permitted to leave Michigan, because the birth mother has visitation rights and no final decision has been made.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. 871 IAC 24.25(2) provides that a claimant who quits employment to move to a different locality is presumed to have voluntarily quit employment without good cause attributable to the employer.

The claimant's relocation to Michigan is understandable, but this reason for quitting employment does not meet the definition of good cause attributable to the employer found in the unemployment insurance law.

DECISION:

The unemployment insurance decision dated April 6, 2012, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/kjw