

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

WILLIAM KELETURE
Claimant

APPEAL NO. 09A-UI-03179-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TECH TEAM GLOBAL INC
Employer

OC: 01//25/09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

William Keleture filed an appeal from a representative's decision dated February 23, 2009, reference 01, which denied benefits based upon his separation from Tech Team Global Inc. After due notice, a telephone hearing was scheduled for and held on March 24, 2009. Mr. Keleture participated personally. The employer participated by Lori Bassow, Senior Human Resource Team Member.

ISSUE:

At issue in this matter is whether the claimant quit for good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having heard the testimony and considered all of the evidence in the record, finds: The claimant was employed by Tech Team Global Inc. from July 2, 2007 until October 28, 2008 as a full-time technical support worker.

Mr. Keleture relinquished his position with this employer effective October 28, 2008 when he did not return from a two-week leave of absence that had been granted to the claimant for family reasons. The claimant had requested time away from work because of serious family problems and the employer had attempted to accommodate the claimant by allowing him to leave. After extending Mr. Keleture all the vacation time and leave time that was available to him the claimant was expected to return to work on or about October 28, 2008. The company sent Mr. Keleture a letter informing him of their expectation that he return to work by the specified date. When the claimant did not return the employer reasonably concluded that the claimant had relinquished his job with the company for personal reasons.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence in the record establishes that the claimant left employment for reasons that are attributable to the employer. It does not.

The evidence in the record establishes that Mr. Keleture left his employment for compelling personal reasons. The claimant chose not to return to work after all vacation and leave time available to him had expired. While the claimant's reasons for leaving were undoubtedly good from his personal viewpoint, the reasons did not directly arise out of his employment and, therefore, not attributable to the employer.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

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.

For the reasons stated herein the administrative law judge concludes that the claimant voluntarily quit employment for reasons not attributable to the employer. Unemployment insurance benefits are withheld.

DECISION:

The representative's decision dated February 23, 2009, reference 01, is affirmed. The claimant voluntarily quit work for reasons not attributable to the employer. The claimant is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, providing that he is otherwise eligible.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

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