

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JENNIFER PINEDA**  
Claimant

**APPEAL NO. 10A-UI-16157-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PANERA BREAD**  
Employer

**OC: 10/24/10**  
**Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Jennifer Pineda, filed an appeal from a decision dated November 17, 2010, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on January 12, 2010. The claimant participated on her own behalf. The employer, Panera Bread, participated by Director of Shared Services William Forbes.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Jennifer Pineda was employed by Panera from August 23, 2009 until November 2, 2010 as a part-time associate. She resigned effective November 2, 2010, to move out of state due to a domestic violence situation. Her partner had not ever come to the workplace to threaten her and had not confronted her at any time on the employer's property and he had not called her at work. Ms. Pineda had not requested any assistance or intervention from the employer.

**REASONING AND CONCLUSIONS OF LAW:**

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.

The claimant's personal situation is regrettable and her decision to leave the state was certainly reasonable. But the issue is whether the quit was for good cause attributable to the employer. This is not a situation where her domestic partner created a workplace environment where she was in jeopardy and the employer could not remedy the situation. This was an entirely private and personal situation which over which the employer had no influence or authority. The record

establishes the claimant did not have good cause attributable to the employer for quitting and she is disqualified.

**DECISION:**

The representative's decision of November 17, 2010, reference 01, is affirmed. Jennifer Pineda is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css