

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TRACY L LECLAIRE**  
Claimant

**APPEAL NO. 10A-UI-04388-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**NORDSTROM INC**  
Employer

**Original Claim: 02/21/10  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated March 16, 2010, reference 01, that concluded the claimant had voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on May 4, 2010. The claimant participated in the hearing. Peg Elofson participated in the hearing on behalf of the employer with a witness, Kaley Dolan.

**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 personal shopper from March 2004 to December 31, 2009. The claimant voluntarily quit employment to relocate with her spouse to the state of Arizona.

She had set up an interview with one of the employer's stores in Phoenix on January 8, 2010, and was offered a position, but she could not accept the position because the interviewer wanted her to start right away and she did not have transportation to work due to her car being in transit from Iowa.

The claimant was never given any guarantee or assurance that there would be a job available in Arizona when she moved.

**REASONING AND CONCLUSIONS OF LAW:**

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

871 IAC 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.

The claimant's relocation with her spouse 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. She was never given any guarantee or assurance that there would be a job available in Arizona when she moved.

**DECISION:**

The unemployment insurance decision dated March 16, 2010, 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.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/kjw