

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

REBECCA N HARTMAN
Claimant

APPEAL NO. 10A-UI-04181-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

FEDEX FREIGHT EAST INC
Employer

**Original Claim: 10/25/09
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Rebecca Hartman filed a timely appeal from a representative's decision dated March 15, 2010, reference 02, which denied benefits based upon her separation from FedEx Freight East, Inc. After due notice was issued, a telephone conference hearing was held on April 30, 2010. The claimant participated personally. The employer participated by Mr. Sheldon Richey, center manager.

ISSUE:

At issue is whether the claimant left employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having considered the evidence in the record, the administrative law judge finds: Rebecca Harrison accepted employment as a part-time semi trailer loader working nights for FedEx Freight East, Inc. The claimant began her employment on February 8, 2010, and was aware of the nature of the work, its hours, and the work location. The claimant's last day of work was February 12, 2010. On February 15, Ms. Hartman contacted Mr. Richey by phone and resigned her position, stating that the job was "not working out due to child care problems." Work continued to be available to Ms. Hartman in the position that she had accepted. There were no changes in the agreement of hire.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left 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.

An individual who voluntarily leaves their employment must first give notice to the employer of the reasons for quitting in order to give the employer an opportunity to address or resolve the complaint. See Cobb v. Employment Appeal Board, 506 N.W.2d 445 (Iowa 1993). In this case, Ms. Hartman did not leave her employment due to dissatisfaction with the work itself but instead based upon personal reasons. The claimant found that her child care arrangements were not satisfactory and left her employment with FedEx based upon her personal inability to secure child care arrangements that were acceptable to her.

While the claimant's reason for leaving was undoubtedly a good reason from her personal viewpoint, it was not a reason that was attributable to the employer. Benefits are withheld.

DECISION:

The representative's decision dated March 15, 2010, reference 02, is affirmed. The claimant quit employment for reasons not attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

tpn/kjw