

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JOSE A GARCIA
Claimant

APPEAL NO. 09A-UI-16966-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WELLS FARGO BANK NA
Employer

**Original Claim: 10/04/09
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated October 29, 2009, reference 02, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on December 15, 2009. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. James Done 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 full-time for the employer as a customer service representative from August 25, 2008, to September 14, 2009.

On September 9, 2009, the claimant notified the employer that he was quitting his employment effective September 23, 2009, to pursue other job opportunities.

The claimant called in on September 16, 2009, and notified the employer that he was not going to be at work that day due to personal reasons. He did not report to work or call in after that, and the employer considered him to have voluntarily quit employment.

There is no evidence that the claimant obtained other employment when he stopped working for the employer.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1. The evidence establishes the claimant voluntarily quit employment without good cause attributable to the employer. Although there is a statute allowing benefits to a claimant who quits employment to

accept other employment, there is no evidence that the claimant obtained other employment when he stopped working for the employer.

DECISION:

The unemployment insurance decision dated October 29, 2009, reference 02, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/kjw