

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARIA RODRIGUEZ
Claimant

APPEAL NO: 09A-UI-04421-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PINERIDGE FARMS
Employer

OC: 02/22/09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Maria Rodriguez (claimant) appealed a representative's March 17, 2009 decision (reference 01) that concluded she was not qualified to receive benefits, and the account of Pineridge Farms (employer) would not be charged because she had voluntarily quit her employment for reasons that do not qualify her to receive benefits. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on April 15, 2009. The claimant participated in the hearing. John Anderson, the human resource manager, appeared on the employer's behalf. Ike Rocha interpreted the hearing. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer on January 15, 2008. The claimant worked as a full-time production employee.

In early February 2009, the claimant learned she was pregnant. Since the claimant has had complications with previous pregnancies and did not want any complication with this pregnancy on February 6, 2009, she informed the employer she was quitting. Although the employer talked about the possibility of a leave of absence, the claimant decided to quit. If the claimant had not quit, she could have continued to work for the employer.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code section 96.5-1. When a claimant quits, she has the burden to establish she quits for reason that qualify her to receive benefits. Iowa Code section 96.6-2.

The law presumes a claimant voluntarily quits employment without good cause when she leaves for compelling personal reasons, but will be absent for more than ten working days. 871 IAC 24.25(20). The claimant quit because she had complications with previous pregnancies and did not want complications with this pregnancy. The claimant established compelling personal reasons for quitting. These reasons do not qualify her to receive unemployment insurance benefits. As of February 22, 2009, the claimant is not qualified to receive benefits.

DECISION:

The representative's March 17, 2009 decision (reference 01) is affirmed. The claimant voluntarily quit her employment for compelling personal reasons that do not qualify her to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of February 22, 2009. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs