

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

COURTNEY L ASH
Claimant

APPEAL NO: 09A-UI-15846-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TARGET CORPORATION
Employer

OC: 09/20/09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed a representative's October 14, 2009 decision (reference 01) that concluded he was not qualified to receive benefits, and the employer's account was not subject to charge because the claimant voluntarily quit his employment for reasons that do not qualify him to receive benefits. A telephone hearing was held on November 24, 2009. The claimant participated in the hearing. Janet Frazer, a human resource executive, appeared on the employer's behalf. 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 his employment for reasons that qualify him to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer on October 21, 2008. The claimant worked as a full-time cashier. The claimant's job was not in jeopardy and he would have continued working if he had not decided to go to school in Chicago, which required him to move to Illinois.

The claimant informed the employer he was resigning so he could go to school. The claimant's last day of work was August 15, 2009. After the claimant moved to Illinois, he did not file a claim right away. He tried to find another job, but was not successful.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5-1. When a claimant quits, he has the burden to establish he quit for reasons that qualify him to receive benefits. Iowa Code § 96.6-2. The law presumes a claimant voluntarily quits employment without good cause when he leaves to relocate or go to school. 871 IAC 24.25(2) and (26).

The claimant established compelling reasons for quitting. Even though he resigned for compelling reasons, these reasons do not qualify the claimant to receive benefits. Therefore, as of September 20, 2009, the claimant is not qualified to receive benefits.

DECISION:

The representative's October 14, 2009 decision (reference 01) is affirmed. The claimant voluntarily quit his employment for personal reasons that do not qualify him to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of September 20, 2009. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css