

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CASSANDRA L HUNLEDE**  
Claimant

**APPEAL NO. 12A-UI-03036-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SCHENKER LOGISTICS INC**  
Employer

**OC: 01/29/12**  
**Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated March 14, 2012, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on April 10, 2012. Claimant participated. Employer representative Nicki Brick, Human Resource Manager was not available when called. Exhibits One and A were admitted into evidence.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer. The issue in this matter is whether claimant is able and available for work.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on February 1, 2012. Claimant quit work because her husband was transferred by the military to a duty station after basic training. Claimant is a military spouse. Claimant followed her husband to his duty station at Fort Irwin California. The reporting date was February 10, 2012. Claimant quit work to move to California to be with her military spouse.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because her husband was transferred to a duty station with the United States Army. This is a quit that does not disqualify claimant from the receipt of benefits because claimant moved as a military spouse. Employer's account shall not be charged.

Iowa Code section 96.5-1-b 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. But the individual shall not be disqualified if the department finds that:

b. The individual's leaving was caused by the relocation of the individual's spouse by the military. The employer's account shall not be charged for any benefits paid to an individual who leaves due to the relocation of a military spouse. Relief of charges under this paragraph applies to both contributory and reimbursable employers, notwithstanding section 96.8, subsection 5.

**DECISION:**

The decision of the representative dated March 14, 2012, reference 01, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible. Employer's account shall not be charged.

---

Marlon Mormann  
Administrative Law Judge

---

Decision Dated and Mailed

mdm/css