

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TINA A HENNINGS**  
Claimant

**APPEAL NO. 08A-UI-09054-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ADVENTURE STAFFING  
& PROFESSIONAL SERVICES INC**  
Employer

**OC: 07/20/08 R: 01  
Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Tina Hennings, filed an appeal from a decision dated September 25, 2008, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on October 22, 2008. The claimant participated on her own behalf. The employer, Adventure Staffing, participated by Human Resources Robert Hardy.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Tina Hennings was employed by Adventure Staffing from February 14, 2008 until April 4, 2008. Her last assignment was at Eaton Corporation in Spencer, Iowa. Ms. Hennings lived in Spencer, Iowa, and dealt with the employer's office in that city. After the assignment ended, she contacted Danielle, the employer's representative in the city, to say she was available for other work.

Ms. Hennings moved to Defiance, Iowa, on April 16, 2008, and contacted Danielle the next day. That town is 90 minutes away from Spencer, Iowa, and an hour away from Sioux City, Iowa, where the employer's corporate office is. The employer has no current clients in the Defiance, Iowa, area.

**REASONING AND CONCLUSIONS OF LAW:**

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.

871 IAC 24.25(2) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(2) The claimant moved to a different locality.

The claimant quit to move to another locality and put herself outside the operating area of Adventure Staffing. Under the provisions of the above Administrative Code section, this is a voluntary quit without good cause attributable to the employer. The claimant is disqualified.

**DECISION:**

The representative's decision of September 25, 2008, reference 01, is affirmed. Tina Hennings is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw