

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

IVAN JURIC
Claimant

APPEAL NO. 09A-UI-05816-DW

**ADMINISTRATIVE LAW JUDGE
DECISION**

MARRIOTT HOTEL SERVICES INC
Employer

**Original Claim: 02/22/09
Claimant: Appellant (1/R)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Ivan Juric (claimant) appealed a representative's April 10, 2009 decision (reference 03) that concluded he was not qualified to receive benefits, and the account of Marriott Hotel Services, Inc. (employer) would not be charged because the claimant voluntarily quit his employment for reasons that do not qualify him to receive benefits. An in-person hearing was held on May 5, 2009. The parties were properly notified about the hearing. The claimant did not appear for the hearing. Tracy Ross, the lead housekeeper supervisor, and Kim Compton participated in the hearing on the employer's. 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 July 7, 2008. The claimant worked full time as a lobby attendant. On September 9, 2008, the claimant asked Ross for permission to leave work early because he had received an eviction notice. Ross gave the claimant permission to leave work early.

The claimant was scheduled to work two days later. He reported to work, but had his uniforms in a bag. Although he told Ross he could not continue his employment because he did not have anywhere to live, she encouraged him to continue his employment. The claimant told her he could not because he had too many things on his mind. The claimant left and did not return to work.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily leaves employment without good cause attributable to the employer. Iowa Code § 96.5-1. The

claimant quit his employment on September 11, 2008. 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 claimant quit for compelling personal reasons. These reasons do not, however, qualify him to receive benefits. As of February 22, 2009, the claimant is not qualified to receive benefits.

DECISION:

The representative's April 10, 2009 decision (reference 03) is affirmed. The claimant voluntarily quit his employment for reasons that do not qualify him to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of February 22, 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. The issue of overpayment is remanded to the Claims Section.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw