

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

OSCAR GARCIA
Claimant

APPEAL NO: 12A-UI-09395-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BURNIGHT SOLUTIONS
Employer

**OC: 07/08/12
Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's August 1, 2012 determination (reference 01) that disqualified him from receiving benefits and held the employer's account exempt from charge because he voluntarily quit his employment for reasons that do not qualify him to receive benefits. The claimant participated in the hearing. The employer did not respond to the hearing notice or participate in the hearing. Ike Rocha interpreted the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge finds the claimant is not qualified to receive benefits.

ISSUE:

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

FINDINGS OF FACT:

The claimant worked five to six years for the employer. The claimant's job required him to work out-of-state, which meant he could be away from his home for 21 days or more at a time. In early June or July 2012, the claimant resigned because he wanted to spend more time with his children and have an opportunity to find a job that did not require him to work out-of-state and away from home for an extended time. The claimant also was tired of working for his supervisor.

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(2)a. 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 established compelling personal reasons for quitting. The claimant may have made the best decision for himself and his family, but his reasons for quitting do not qualify him to receive benefits. As of July 8, 2012, the claimant is not qualified to receive benefits.

DECISION:

The representative's August 1, 2012 determination (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 July 8, 2012. 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/pjs