

IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS SECTION
1000 EAST GRAND—DES MOINES, IOWA 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

TRUONG P LAM
611 S 20TH ST APT 5
LINCOLN NE 68510

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Appeal Number: 05A-UI-07276-SWT
OC 06/12/05 R 12
Claimant: Appellant (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant, Truong Lam, appealed a decision dated July 1, 2005, reference 01, that concluded he voluntarily quit employment without good cause. A telephone hearing was held on August 3, 2005. Lam participated in the hearing. Steve Joyce participated in the hearing for the employer.

FINDINGS OF FACT:

Truong Lam worked as a production worker for the employer from March 26, 2001, to April 17, 2005. He voluntarily quit employment for two reasons. First, he quit to attend Hamilton College in Lincoln, Nebraska. Second, he quit to move to Lincoln, Nebraska, to live with and care for

his elderly father who was having health problems. The reasons why he quit were not because of anything at work.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether Lam voluntarily quit employment without good cause caused by employer.

The law disqualifies persons who voluntarily quit employment without good cause attributable to the employer. Iowa Code sections 96.5-1. This means that the reason for quitting the job has to been caused by the employer.

Neither of the reasons given by Lam for quitting his job were caused by the employer. There is an exception in the law when someone leaves employment to care for a member of their family who is sick or injured, but that law requires that the person contact the employer after the family member has recovered and offer to return to work. Lam has not done that in this case. He is disqualified from receiving benefits.

DECISION:

The unemployment insurance decision dated July 1, 2005, reference 01, is affirmed. Truong Lam is disqualified from receiving benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

saw/pjs