

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

JEFF L PALMER
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OTTUMWA IA 52501

US BANK NATIONAL ASSOCIATION
C/o JON-JAY ASSOCIATES INC
PO BOX 182523
COLUMBUS OH 43218-2523

Appeal Number: 06A-UI-00111-SWT
OC: 12/04/05 R: 03
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 appealed an unemployment insurance decision dated December 27, 2005, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on January 18, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing. Pam Larson participated in the hearing on behalf of the employer.

FINDINGS OF FACT:

The claimant worked full time as a bank branch manager from February 1, 2004, to December 2, 2005. The claimant applied to the bank for a home equity loan and another customer's property appraisal was mistakenly submitted to support his application.

When management discovered the discrepancy, it began an investigation of the appraisal. Before the employer had completed his investigation or made a decision about what discipline, if any, the claimant would receive, the claimant submitted his resignation. He resigned because he believed he was going to be discharged and wanted to protect his employment record.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

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.

The evidence does not establish that the claimant's employment was definitely going to be terminated at the time he resigned. No good cause attributable to the employer has been proven in this case.

DECISION:

The unemployment insurance decision dated December 27, 2005, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

saw/kjw