

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**IAN V JOHNSON**  
Claimant

**APPEAL NO. 13A-UI-10850-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WAPSIE PINES LAWN CARE**  
Employer

**OC: 05/05/13**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated September 16, 2013, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on October 17, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Danny Moulds participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant filed a claim for a second benefit year of regular unemployment insurance benefits effective May 5, 2013. He had exhausted the regular unemployment benefits and emergency unemployment compensation available on the prior year's claim and was receiving training extension benefits because he was in approved training at Kirkwood College.

Because the claimant had not worked and earned at least \$250.00 since he filed his first claim in May 2012, he was denied regular unemployment insurance benefits. He returned to receiving training extension benefits until he exhausted those August 3, 2013.

The claimant was informed by a Workforce Development representative that he could take a temporary job to earn the \$250.00. He talked to one of the supervisors with the employer and asked if he could work a couple weeks until school started. The supervisor agreed. The claimant worked from August 7 to 16 to earn the \$250.0 to receive a second benefit year of benefits. School did not start until August 26 but the claimant stopped working to get ready for school. The employer still had work for the claimant to do when he left. The employer did not lay the claimant off.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a.

The problem in this case is the claimant determined that he would only work until he earned enough money to qualify for a second year of unemployment insurance benefits. The job itself could have lasted longer since there was still work available for the claimant when he left. The claimant was not laid off by the employer. The claimant quit when there was still work available. He decided when his last day of work would be not the employer. He quit to return to school, which is a disqualifying separation under unemployment insurance rule. 871 IAC 24.25(26).

**DECISION:**

The unemployment insurance decision dated September 16, 2013, 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.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css