

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JILL M ROMIG
Claimant

APPEAL NO. 11A-UI-05579-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

FOCUS SERVICES LLC
Employer

OC: 03/20/11
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated April 18, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on May 19, 2011. Claimant failed to respond to the notice of hearing and did not participate. Employer participated by Kelly Hofpender, company recruiter.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds: Claimant was employed with the employer from September 9, 2009 through March 24, 2011. She voluntarily quit her employment. The claimant was employed as a part-time agent. She became ill and was unable to come to the employer's work center, which was approximately 60 miles from her home. The employer had some work the claimant could do at home, which the claimant then accepted. The at-home work was not available after March 24, 2011, so the claimant was required to return to the center in Dubuque. This was too far for the claimant to drive, so she quit.

REASONING AND CONCLUSIONS OF LAW:

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.

Claimant quit due to the commuting distance. This reason is without good cause attributable to the employer. See 871 IAC 24.25(30). Accordingly, the separation is without good cause attributable to the employer and benefits must be denied.

DECISION:

The April 18, 2011, reference 01, decision is affirmed. Benefits are withheld until such time as claimant works in and has been paid wages equal to ten times her weekly benefit amount, provided claimant is otherwise eligible.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/kjw