

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JASNA MEHMEDOVIC
Claimant

APPEAL NO. 11A-UI-07098-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**RENAL TREATMENT CENTERS
—ILLINOIS INC**
Employer

**OC: 04/24/11
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated May 17, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 22, 2011. Claimant participated with representative Tomas Berg, attorney at law. Employer participated by Lori Weeks, facility administrator, and Mary Podhaski, social worker. Exhibit One was admitted into evidence.

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 last worked for employer on April 22, 2011. Claimant quit because she was allegedly repeatedly reprimanded for absenteeism. Claimant had worked full-time prior to maternity leave. Claimant returned from maternity leave April 1, 2011 and went part-time. Claimant was chronically absent due to her child's illness upon return from leave. Claimant provided doctor's excuses. Claimant properly reported the absences. Claimant was told by employer that she should not call in again. Employer tried to work with claimant to find a resolution to the chronic absenteeism. Claimant quit because she could not find anyone else to care for her child. Claimant quit because she was upset over missing too much work. Claimant quit because she did not like being talked to about her chronic absenteeism. Continued work was available. Claimant failed to give a two-week notice for quitting.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because of warnings for missing work due to illness. Claimant was not in danger of losing her job. Claimant was not told that she was going to face discharge.

Continued work was available for claimant had she not quit. This is a quit for personal reasons unrelated to work. Benefits withheld.

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.

DECISION:

The decision of the representative dated May 17, 2011, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/kjw