

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TERRY L BROWN
Claimant

APPEAL NO. 10A-UI-09501-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRST VAN EXPEDITED INC
Employer

OC: 05/16/10
Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Terry Brown, filed an appeal from a decision dated June 22, 2010, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on August 23, 2010. The claimant participated on his own behalf. The employer, CRST, participated by Human Resources Specialist Sandy Matt.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Terry Brown was employed by CRST from January 23, 2009 until October 29, 2009 as a full-time over-the-road driver. On October 26, 2009, Mr. Brown informed Terminal Manager Sue Yorgensen he did not want to be a lead driver anymore because he did not want to train new drivers. Before she could find him a co-driver to work with he called back on October 29, 2009, and quit.

The claimant stated he had worked for another company in California from March through May 2010 and earned \$4,000.00. The records of Iowa Workforce Development do not show any wages earned from other employers after his separation from CRST.

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.

The claimant quit because he no longer wanted to be a lead driver and train other drivers. Before the employer could find a co-driver for him he quit. He did not give the employer enough time to address and resolve his concerns before he quit. Three days is not sufficient time to make arrangements for a co-driver. He elected to quit rather than give the employer a reasonable opportunity to find a co-driver and this does not constitute good cause attributable to the employer for quitting.

Whether the claimant earned at least ten times his weekly benefit amount from a subsequent employer cannot be determined from the information presented at the hearing. If the claimant has evidence of his earnings he should provide those to his local Workforce office.

DECISION:

The representative's decision of June 22, 2010, reference 01, is affirmed. Terry Brown is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css