

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TAMMY M DRALLE
Claimant

APPEAL NO. 12A-UI-10196-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SPHERION STAFFING
Employer

**OC: 07/29/12
Claimant: Appellant (1)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Tammy Dralle, filed an appeal from a decision dated August 20, 2012, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on September 18, 2012. The claimant participated on her own behalf. The employer, Spherion, participated by Account Manager Teresa Ray.

ISSUE:

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

FINDINGS OF FACT:

Tammy Dralle was employed by Spherion from March 15, 2011 until July 28, 2012. During that time, she had one assignment at Hewlett-Packard in Des Moines, Iowa. She quit on July 28, 2012, because her husband had been transferred to Minnesota for his job and she accompanied him.

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.

871 IAC 24.25(10) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa

Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(10) The claimant left employment to accompany the spouse to a new locality.

The claimant's sole reason for quitting her assignment at Spherion was to move to another locality with her spouse. Under the provisions of the above Administrative Code section, this is a voluntary quit without good cause attributable to the employer and the claimant is disqualified.

DECISION:

The representative's decision of August 20, 2012, reference 01, is affirmed. Tammy Dralle is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw