

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**RYAN P REID**  
Claimant

**PEPSI COLA BOTTLING COMPANY OF DA**  
Employer

**APPEAL 21A-UI-01216-LJ-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/05/20**  
**Claimant: Appellant (4)**

Iowa Code § 96.5(1) – Voluntary Quitting of Employment  
Iowa Code § 96.5(1)g – Voluntary Quitting/Requalification

**STATEMENT OF THE CASE:**

On December 4, 2020, the claimant filed an appeal from the December 2, 2020 (reference 01) unemployment insurance decision that denied benefits based upon a determination that claimant voluntarily quit employment for personal reasons. The parties were properly notified of the hearing. A telephonic hearing was held on February 16, 2021. The claimant, Ryan P. Reid, participated. The employer, Pepsi Cola Bottling Company of Davenport, participated through Rhonda Wilkinson, Office Manager/Payroll. The administrative law judge took official notice of the administrative record.

**ISSUE:**

Has the claimant requalified for benefits since separating from this employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed part time, most recently as a dock worker, from March 20, 2019, until January 16, 2020, when he quit to return to college. Claimant attended college at the University of Iowa in Iowa City. He quit his employment with this employer in Davenport so he could go to college in another city. Continued work was available, had Claimant not quit his employment.

The administrative record reflects that since the separation from this employment, Claimant has worked in and been paid insured wages of at least ten times his weekly benefit amount.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left the employment without good cause attributable to the employer but has since requalified for benefits.

Iowa Code §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.

Iowa Admin. Code r. 871-24.25 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: ...

(26) The claimant left to go to school.

Iowa Code section 96.5(1)g 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. But the individual shall not be disqualified if the department finds that:

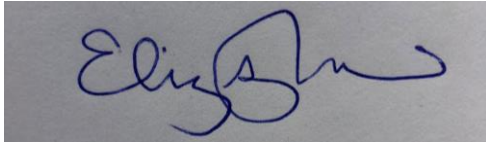
g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2).

In this case, Claimant quit his employment with the employer to further his education in another city. The claimant's separation from this employer is disqualifying. However, the administrative law judge further concludes from information contained in the administrative record that the claimant has requalified for benefits since the separation from this employer. Accordingly, benefits are allowed and the account of the employer (account number 023333) shall not be charged.

**DECISION:**

The December 2, 2020, (reference 01) unemployment insurance decision is modified in favor of the appellant. The claimant quit without good cause attributable to the employer, but has requalified for benefits since the separation. Benefits are allowed, provided the claimant is otherwise eligible. The account of the employer shall not be charged.



---

Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

February 26, 2021  
Decision Dated and Mailed

lj/mh