

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ERIK G DAVILA
Claimant

PACKERS SANITATION SERVICES INC
Employer

APPEAL NO. 15A-UI-03361-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 02/22/15
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 13, 2015, reference 03, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on April 22, 2015. Claimant participated. Employer participated by Jose Lunez Martinez.

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 considered all of the evidence in the record, finds: Claimant last worked for employer on September 23, 2014. Claimant was incarcerated near this date and claimant quit his job as he lost his license pursuant to his arrest and claimant no longer had transportation to get to work.

REASONING AND CONCLUSIONS OF LAW:

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.

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 he had no transportation to get to work. Lack of transportation caused by a claimant's alleged violation of the law does not constitute good cause attributable to employer for a voluntary quit by claimant.

DECISION:

The decision of the representative dated March 13, 2015, reference 03, 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.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/css