

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**CAROLYN L MUHAMMAD**  
Claimant

**DILLARDS INC**  
Employer

**APPEAL NO. 15A-UI-12884-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/18/15**  
**Claimant: Appellant (2)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated November 18, 2015, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on December 10, 2015. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

**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 August 18, 2015. Claimant put in her two-weeks' notice prior to terminating her employment.

Claimant had been working for employer at one facility and was asked if she was willing to transfer to another facility and work as a dress specialist. At the time of the interview for the new job, claimant asked for specific hours and days off in order to address her daycare issues. Claimant asked to be off work by 5:30 p.m., and to have every other weekend off of work. This was agreed to by employer prior to claimant agreeing to take the new job.

When claimant started her new job, employer did not end the days at 5:30 p.m. and did not allow claimant every other weekend off. Claimant addressed this situation immediately with her supervisor who did change the time for ending claimant's work day. The supervisor did not give claimant every other weekend off. Claimant again went to the supervisor, who explained that her request for every other weekend off would not be granted. Claimant then put in her two-weeks' notice, and employer did not act to grant the time off as previously agreed to.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment

relationship because employer did not grant claimant every other weekend off, even though that was agreed to in the discussions about work hours prior to claimant accepting the position.

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.

**DECISION:**

The decision of the representative dated November 18, 2015, reference 01, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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