

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JERRY D ALSUP**  
Claimant

**APPEAL NO. 14A-UI-07752-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**UFP TECHNOLOGIES INC**  
Employer

**OC: 06/29/14**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the July 21, 2014, (reference 01) unemployment insurance decision that denied benefits. After due notice was issued, a hearing was held on August 19, 2014. The claimant did participate. The employer did participate through Stephanie Weise, Human Resources.

**ISSUE:**

Did the claimant voluntarily quit his employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed full time as an inspector/packer beginning on October 30, 2006 through June 6, 2014 when he voluntarily quit. The claimant is 78 years old and decided that he only wanted to work part time. The employer could not offer him part-time work, so he voluntarily quit to retire instead. The employer was under no obligation to provide the claimant with part-time work when their business needs mandated a full-time employee. The claimant could have continued to work full time if he so desired.

**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.

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(18) and (24) 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 § 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 § 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:

(18) The claimant left because of a dislike of the shift worked.

(24) The claimant left employment to accept retirement when such claimant could have continued working.

The claimant voluntarily quit because he wanted to work part time and the employer would not allow him to work part time.

While claimant's decision to quit may have been based upon good personal reasons it was not a good-cause reason attributable to the employer for leaving the employment. Benefits must be denied.

**DECISION:**

The July 21, 2014 (reference 01) decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

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