

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

JEFFERY A FOLKERTS  
1320 2<sup>ND</sup> AVE NE  
CLEAR LAKE IA 50428

WOODHARBOR MOLDING & MILLWORK  
327 9<sup>TH</sup> ST SW  
MASON CITY IA 50401

Appeal Number: 04A-UI-06023-BT  
OC: 05/09/04 R: 02  
Claimant: Appellant (1)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the ***Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319.***

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

---

(Administrative Law Judge)

---

(Decision Dated & Mailed)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Jeffery Folkerts (claimant) appealed an unemployment insurance decision dated May 21, 2004, reference 01, which held that he was not eligible for unemployment insurance benefits because he voluntarily quit his employment with Woodharbor Molding & Millwork, Inc. (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on June 22, 2004. The claimant participated in the hearing. The employer participated through Diane Kafer, Human Resources Assistant and Sean Johnson, Supervisor.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time production worker from November 24, 2003 through May 7, 2004, when he walked off the job after working less than five hours. The claimant quit his job because he did not like the long hours even though he was made aware of this at the time of hire.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the reasons for the claimant's separation from employment qualify him to receive unemployment insurance benefits.

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.

The claimant voluntarily quit on May 7, 2004. He bears the burden of proving that the voluntary quit was for a good reason that would not disqualify him. Iowa Code Section 96.6-2. The claimant quit his employment because he did not want to continue to work the excessive required overtime even though he was made aware at the time he was hired that he would have to work overtime. Although the claimant's reason for leaving was personally compelling, his separation cannot be attributed to the employer. Benefits are denied.

DECISION:

The unemployment insurance decision dated May 21, 2004, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until he has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount provided he is otherwise eligible.

sdb/kjf