

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

DAVID J DENNIS  
5609 PLAZA DR  
FARMINGTON NM 87402-8211

ROCKWELL COLLINS INC  
c/o TALX UC EXPRESS  
PO BOX 283  
ST LOUIS MO 63166-0283

Appeal Number: 06A-UI-07038-CT  
OC: 06/04/06 R: 12  
Claimant: Respondent (2)

**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  
Section 96.3(7) – Recovery of Overpayments

STATEMENT OF THE CASE:

Rockwell Collins, Inc. filed an appeal from a representative's decision dated June 29, 2006, reference 01, which held that no disqualification would be imposed regarding David Dennis' separation from employment. After due notice was issued, a hearing was held by telephone on August 7, 2006. Mr. Dennis participated personally and Exhibit A was admitted on his behalf. The employer participated by Gerrie Lueck, Human Resources Specialist and Steve Wall, Technical Support Manager.

#### FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Dennis' last period of employment with Rockwell Collins, Inc. was from January 3 until March 24, 2006. He gave two week's notice on March 10 that he was quitting. He quit because he felt the job had been misrepresented to him.

Mr. Dennis was hired to work as a senior electronics technician. He was told he would be working on a wide and local-area augmentation project as part of the GPS landing project. During the time he was employed, he was sent to various engineers for work assignments. The work he performed was not always specific to the augmentation project. Mr. Dennis questioned Steve Wall as to why he was not performing work on the GPS landing project. He was told that others did not yet feel he was sufficiently familiar with the domain to assign him the work. Because he was not provided the work he believed he was hired to perform, Mr. Dennis tendered his two-week's notice. Continued work would have been available if he had not quit.

Mr. Dennis has received a total of \$3,141.00 in job insurance benefits since filing his claim effective June 4, 2006.

#### REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Dennis was separated from employment for any disqualifying reason. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Mr. Dennis quit because he felt the job was misrepresented to him. He was performing work as an electronics technician. He apparently believed he would be working on the GPS landing project immediately. It appears that it was the employer's intent to have him more involved in the project as time progressed and as he became more familiar with the project. It appears that Mr. Dennis felt his experience merited allowing him to perform the work sooner than intended by the employer. Inasmuch as the employer still intended to have Mr. Dennis work on the project, the administrative law judge cannot conclude that the job was misrepresented to him.

Mr. Dennis did not allege that the employer changed his rate of pay or any other benefits after he accepted the employment. There was no allegation that the work shift was changed from what he was led to believe. He was only on the job for two months. He did not give the employment a fair opportunity to determine if he would be performing work he considered more suitable as time progressed. For the reasons stated herein, the administrative law judge concludes that Mr. Dennis' separation was not for good cause attributable to the employer. Accordingly, benefits are denied.

Mr. Dennis has received benefits since filing his claim. Based on the decision herein, the benefits received now constitute an overpayment and must be repaid. Iowa Code section 96.3(7).

DECISION:

The representative's decision dated June 29, 2006, reference 01, is hereby reversed. Mr. Dennis quit his employment with Rockwell Collins, Inc. for no 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 job insurance benefit amount, provided he satisfies all other conditions of eligibility. Mr. Dennis has been overpaid \$3,141.00 in job insurance benefits.

cfc/cs