

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PERRON D BURNETT**  
Claimant

**APPEAL NO: 18A-UI-04760-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**  
Employer

**OC: 03/18/18**  
**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from the April 12, 2018, reference 01, decision that allowed benefits to the claimant. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on May 10, 2018. The claimant participated in the hearing. Ashley Patrum, Staffing Consultant, participated in the hearing on behalf of the employer.

**ISSUE:**

The issue is whether the claimant voluntarily left his employment with 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 as a full-time machinist for Express Services, Inc. last assigned at Uelner Tool & Die from July 7, 2017 to July 21, 2017. He voluntarily left his employment because he was dissatisfied with his wages.

The claimant applied at and was hired by Uelner Tool & Die. He was told his wage would be \$13.50 per hour. When the claimant's first payday came he was told by Uelner that Express Services was his employer and he needed to go there to get his check. When he received his check July 21, 2017, it showed wages of \$10.50 per hour instead of the \$13.50 per hour he had been told he was making by Uelner and consequently the claimant ended his employment and quit his job assignment. At that time, the claimant told the employer he wanted another assignment with earlier hours and more money.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment with good cause attributable to the employer.

Iowa Code § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2.

The claimant was told by Uelner Tool and Die he would be earning \$13.50 per hour but when he learned Express Services was actually his employer and received his first check, he found out he was only making \$10.50 per hour and consequently quit his job. Because the claimant was told he would be making \$13.50 per hour and quit when he learned he would be making \$10.50 instead, the administrative law judge finds the claimant voluntarily left his employment with good cause attributable to the employer.

**DECISION:**

The April 12, 2018, reference 01, decision is affirmed. The claimant voluntarily left his employment with good cause attributable to the employer. Benefits are allowed, provided the claimant is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/scn