

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**AARON M NORDHEIM**  
Claimant

**DECO PRODUCTS COMPANY LLLP**  
Employer

**APPEAL 15A-UI-12571-CL-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/18/15**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the November 4, 2015, (reference 01) unemployment insurance decision that denied benefits based upon a voluntary quit. The parties were properly notified about the hearing. A telephone hearing was held on December 2, 2015. Claimant participated. Employer participated through human resource manager, Heather Dieschbourg.

**ISSUE:**

Did claimant voluntarily quit the employment with good cause attributable to employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed part-time as a general laborer from June 26, 2006, and was separated from employment on October 16, 2015, when he resigned.

Employer offers health insurance to all employees who work at least 32 hours per week. A copy of this policy is included in employer's handbook. Claimant received a copy of the handbook during his employment.

On August 31, 2015, claimant began working reduced hours because he is in school. On September 11, 2015, claimant began working only 20 hours per week. Accordingly, on September 29, 2015, employer sent claimant a letter advising him that he was no longer receiving healthcare benefits. Claimant resigned his employment because he needed health insurance, but could not work full-time due to the demands of his schoolwork. Claimant's last day of work was October 16, 2015. Claimant has since qualified for coverage for healthcare services under Title 19.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was 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(26) 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:

(26) The claimant left to go to school.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). Here, claimant did not leave for a good-cause reason attributable to employer. Claimant reduced his work hours due to the demands of school. Quitting to attend school is not a good-cause reason attributable to employer. Claimant then lost his health insurance, so he resigned his employment to qualify for Title 19. Claimant should have been aware that when he reduced his work hours, employer would no longer provide him with health insurance. Employer provided claimant with this information in its employee handbook. Claimant could have resumed working full-time hours and maintained his health insurance, but was unable to do so due to the demands of school. Claimant's reasons for leaving his employment may have been good personal reasons, but they were not reasons that are attributable to the employer. Thus, claimant is not qualified to receive benefits.

#### **DECISION:**

The November 4, 2015, (reference 01) unemployment insurance decision is affirmed. Claimant voluntarily left the 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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Decision Dated and Mailed

cal/pjs