

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**AMANDA L HEWITT**  
Claimant

**THE VGM GROUP INC**  
Employer

**APPEAL NO. 18A-UI-03019-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 02/11/18**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated February 28, 2018, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on April 2, 2018. Claimant participated. Employer participated by Nancy Demro. Employer failed to answer when called and did not participate.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on February 8, 2018. Claimant received a severance package to end her work for employer on that date.

Employer reorganized its business in late December 2017 into early January 2018. As a part of the reorganization, claimant's position as an executive assistant was eliminated. Claimant chose to take a new position working 32 hours per week, with all of those hours in the office. (Claimant had previously worked 40 hours a week, with two days worked from home). Claimant worked one month in the new position, often calling in to miss days and using many PTO hours to cover the missed days. Claimant received a coaching on January 29, 2018, concerning her many days missed.

Claimant asked for and received information concerning a severance package on February 8, 2018 as she was not happy with the requirements of the new position. Claimant chose to accept the severance package. Claimant's work was still available to her had she not accepted the severance package.

**REASONING AND CONCLUSIONS OF LAW:**

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.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she was not happy with the new hours and requirements of her job. Claimant did accept the new position knowing the hours and did work the position for a month before deciding to take a severance. This does not amount to a termination, and claimant did not show good cause for her quit. Rather, claimant's quit occurred as a combination of her being offered a severance package and her having agreed to work hours she subsequently did not wish to work.

**DECISION:**

The decision of the representative dated February 28, 2018, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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