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

Appeal Number:	**04A-UI-01831-ET**
OC: 01-11-04	**R: 02**
Claimant: Respondent (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, 4th 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.

STACY MOORE
PO BOX 538
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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.

VERIZON CORPORATION
  SERVICES GROUP INC
C/O JON JAY ASSOCIATES INC
PO BOX 182523
COLUMBUS OH 43218

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 Leaving

STATEMENT OF THE CASE:

The employer filed a timely appeal from the February 12, 2004, reference 01, decision that allowed benefits. After due notice was issued, a hearing was held by telephone conference call before Administrative Law Judge Julie Elder on March 11 2004. The claimant participated in the hearing. Myrna Nacar, Human Resources Analyst, participated in the hearing on behalf of 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 analyst for billing and processing for Verizon Corporation from December 6, 1999 to November 21, 2003. The employer offered employees a voluntary separation package consisting of severance pay, two weeks pay for every year worked for the employer, a cash bonus and one year of benefits. The human resources department "strongly encouraged" employees to accept voluntary separation and could not promise employees that they would have jobs after November 21, 2003. The claimant accepted the voluntary separation package November 21, 2003, and filed a claim for benefits effective the week of January 11, 2004, eight weeks after the separation.

REASONING AND CONCLUSIONS OF LAW:

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

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 employer offered employees a voluntary separation package; "encouraged" employees to accept and the claimant did so because the employer could not tell her whether she would have a job after November 21, 2003, if she did not. The claimant did not initiate the separation but made a reasonable decision to accept the voluntary separation package based on information provided by the employer that she was unlikely to have a job after November 21, 2003. Under these circumstances the administrative law judge concludes the claimant left her employment with good cause attributable to the employer. Benefits are allowed.

DECISION:

The February 12, 2004, reference 01, decision is affirmed. The claimant voluntarily left her employment with good cause attributable to the employer. Benefits are allowed, provided the claimant is otherwise eligible.

je/kjf