

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TIM RANEY
Claimant

JELD-WEN INC
Employer

APPEAL NO. 14A-UI-04241-BT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 12/01/13
Claimant: Appellant (2)

Iowa Code § 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

Tim Raney (claimant) appealed an unemployment insurance decision dated April 21, 2014, (reference 02), which held that he was not eligible for unemployment insurance benefits because he voluntarily quit his employment with Jeld-Wen, Inc. (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 12, 2014. The claimant participated in the hearing. The employer participated through Managers Rod Rosburg and Diana Duncan.

ISSUE:

The issue is whether the claimant's voluntary separation from employment qualifies him to receive unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired as a full-time general laborer on February 19, 2014, and voluntarily quit on April 3, 2014, because he was not getting full-time hours. During some weeks, he worked 32 hours instead of 40. It is unclear whether he was advised the employer's business is cyclical and that he might not get full-time hours if production was down. The claimant could not afford to continue driving to work if he was not going to get full-time hours. However, he drove to work on April 3, 2014, to resign and could have worked out the day but elected to earn no wages and to go home instead.

REASONING AND CONCLUSIONS OF LAW:

The issue to be determined is whether the reasons for the claimant's separation from employment qualify him to receive unemployment insurance benefits. The claimant is not qualified to receive unemployment insurance benefits if he voluntarily quit without good cause attributable to the employer. Iowa Code § 96.5-1.

The claimant quit on April 3, 2014, because he was not working full-time hours even though he had been hired for full-time hours. If the employer is not able to provide full-time hours each

week, it has a duty to provide that information to a prospective full-time employee at the time of hire. It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify him. Iowa Code § 96.6-2. He has satisfied that burden. Benefits are allowed.

The employer is not a base period employer and its account is not subject to any charges during the claimant's current benefit year. If the claimant establishes a subsequent benefit year, the wage credits he earned from February 19, 2014, through April 3, 2014, would be subject to charge since the claimant quit his employment with good cause attributable to the employer.

DECISION:

The unemployment insurance decision dated April 21, 2014, (reference 02), is reversed. The claimant voluntarily quit his employment with good cause attributable to the employer and is qualified to receive unemployment insurance benefit, provided he is otherwise eligible.

Susan D. Ackerman
Administrative Law Judge

Decision Dated and Mailed

sda/css