

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

STEVE T SCHMIEDER
Claimant

NORDSTROM INC
Employer

APPEAL NO. 17A-UI-12245-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 11/05/17
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated November 27, 2017, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on December 19, 2017. Claimant participated. Employer chose not to 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 November 2, 2017. Claimant voluntarily quit after that date as he no longer wished to work the on-call hours he'd been required to work since taking the loss-prevention manager position a year and a half prior to his quit.

Claimant had worked as a financial manager for employer for over twenty years. In June of 2016, claimant's job was eliminated. Claimant was offered and accepted a job as the loss prevention manager at that time. As a part of his new job, claimant was on-call at all hours for thefts and other emergency actions. Claimant tried to work this job for eighteen months and decided that he could no longer do the job.

REASONING AND CONCLUSIONS OF LAW:

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 he was not happy that he was called in to work at all hours and on any day of the year. Claimant knew the requirements at the time of hire for his new position or at least a short time after his hire. Claimant worked the job for eighteen months before he felt he could no longer work the hours. Claimant's decision is not attributable to employer as claimant worked the new job for over eighteen months.

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.

DECISION:

The decision of the representative dated November 27, 2017, 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.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn