

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

JIM W GRONEN
Claimant

APPEAL NO. 06A-UI-10857-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TARGET CORPORATION
Employer

**OC: 09/24/06 R: 03
Claimant: Respondent (1)**

Section 96.4-3 – Eligibility for Benefits

STATEMENT OF THE CASE:

Target Corporation filed a timely appeal from an unemployment insurance decision dated October 31, 2006, reference 01, which allowed benefits to Jim W. Gronen upon a finding that he was unemployed due to a short term layoff. After due notice was issued, a telephone hearing was held November 30, 2006 with Mr. Gronen participating. Human Resources Representative Teresa Feldman and Inbound Group Leader Ryan Schmit participated for the employer.

ISSUE:

Was the claimant on a short term layoff or unemployed at his own request?

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having examined all of the evidence in the record, the administrative law judge finds: Jim W. Gronen has worked for Target Corporation since May 2003. He currently is a full-time warehouse worker. During the week of September 24, 2006 the employer, upon the determination of the production comptroller offered Mr. Gronen and other employees of the warehouse the opportunity to voluntarily reduce their hours because the supply of workers exceeded the demand for their services. Mr. Gronen accepted the offer. He worked no hours at all through the week ending October 28, 2006 and worked partial hours during the week ending November 4, 2006.

On some occasions in the past, the employer has involuntarily reduced hours of all affected employees if too few of them had accepted the offer of voluntary reductions.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Mr. Gronen was voluntarily or involuntarily unemployed. The parties agree that he worked no hours from September 24 through October 28, 2006 and that he worked only partial hours during the week ending November 4, 2006.

The parties also agree that the employer initiated the events. This is not a case in which Mr. Gronen of his own volition approached his supervisor to request time off. He responded to

an offer that was based on the employer's manpower needs. Mr. Schmit's testimony confirmed that on some occasions hours had been reduced involuntarily in the past. The administrative law judge concludes that the claimant should not be penalized for accepting the employer's offer to reduce his hours. Benefits are allowed.

DECISION:

The unemployment insurance decision dated October 31, 2006, reference 01, is affirmed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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