

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAJOUR L SMITH
Claimant

APPEAL NO. 14A-UI-04367-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PACKERS SANITATION SERVICES INC
Employer

OC: 04/06/14
Claimant: Appellant (1)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated April 24, 2014, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on May 15, 2014. The parties were properly notified about the hearing. The claimant participated in the hearing. Eric Jackson participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The claimant worked full time as a laborer from September 16, 2013, to January 28, 2014, at a rate of pay of \$10 per hour. He was informed and understood that under the employer's policies, employees were entitled to a bonus called "sunshine pay" equaling an additional five hours of pay. To receive the sunshine pay, an employee had to have no attendance or discipline issues.

The claimant voluntarily quit his employment after January 28, 2014, because he was dissatisfied with the pay and the times he did not receive the sunshine pay. The claimant was paid in accordance with the terms of the employment established at the time of hire.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer or who are discharged for work-connected misconduct. Iowa Code § 96.5-1 and 96.5-2-a.

Iowa Admin. Code r. 871-24.25(13) provides that a claimant who leaves employment because of dissatisfaction with the wages but knew the rate of pay when hired has quit without good cause. The claimant voluntarily quit employment without good cause attributable to the employer.

Although there was testimony provided about the claimant declining an offer of work after he had quit, it is unnecessary to decide this issue in light of the fact that the claimant is already disqualified based on his voluntarily quitting his job without good cause.

DECISION:

The unemployment insurance decision dated April 24, 2014, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs