

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CODY J DORAN**  
Claimant

**APPEAL NO: 06A-UI-08206-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**US POSTAL SERVICE**  
Employer

**OC: 05/14/06 R: 03  
Claimant: Respondent (1)**

Section 96.5-1 - Voluntary Quit  
871 IAC 24.27 - Voluntary Quit of Part-time Job

**STATEMENT OF THE CASE:**

The employer appealed an unemployment insurance decision dated August 11, 2006, reference 02, that concluded the claimant was eligible for benefits because he voluntarily quit part-time employment without good cause but had sufficient wages from other employers to qualify for benefits. A telephone hearing was held on August 30, 2006. The parties were properly notified about the hearing. The claimant failed to participate in the hearing. Zeke Bideaux participated in the hearing on behalf of the employer. Exhibits One, Two, and A were admitted into evidence at the hearing.

**ISSUE:**

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

**FINDINGS OF FACT:**

The claimant worked part-time for the employer as a casual mail carrier from June 5, 2006 to June 12, 2006. The claimant voluntarily quit his part-time job because the job was too physically demanding. There is no evidence the work was misrepresented to the claimant when he was hired.

The claimant filed a new claim for unemployment insurance benefits with an effective date of May 14, 2006. The employer's account is not presently chargeable for benefits paid to the claimant, since it is not a base period employer on the claim.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit employment without 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.

871 IAC 24.27 provides:

Voluntary quit of part-time employment and requalification. An individual who voluntarily quits without good cause part-time employment and has not requalified for benefits following the voluntary quit of part-time employment, yet is otherwise monetarily eligible for benefits based on wages paid by the regular or other base period employers, shall not be disqualified for voluntarily quitting the part-time employment. The individual and the part-time employer which was voluntarily quit shall be notified on the Form 65-5323 or 60-0186, Unemployment Insurance Decision, that benefit payments shall not be made which are based on the wages paid by the part-time employer and benefit charges shall not be assessed against the part-time employer's account; however, once the individual has met the requalification requirements following the voluntary quit without good cause of the part-time employer, the wages paid in the part-time employment shall be available for benefit payment purposes. For benefit charging purposes and as determined by the applicable requalification requirements, the wages paid by the part-time employer shall be transferred to the balancing account.

The claimant voluntarily quit employment without good cause attributable to the employer. The job, however, was part-time, and the claimant has sufficient wages from other employers to qualify to receive unemployment insurance benefits. If the employer becomes a base-period employer in a future benefit year, it will be chargeable based on 20 CFR 609.14, which is the rule for charges under the UCFE program.

**DECISION:**

The unemployment insurance decision dated August 11, 2006, reference 02, is affirmed. The claimant is qualified to receive unemployment insurance benefits, provided he is otherwise eligible.

---

Steven A. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

saw/kjw