

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

SHANE W HEITHER  
1515 GRAND AVE  
MUSCATINE IA 52761

ALLSTEEL DISTRIBUTION CENTER  
LOC 68  
HWYS 61 & 38  
MUSCATINE IA 52761

Appeal Number: 04A-UI-02101-HT  
OC: 01/18/04 R: 04  
Claimant: Appellant (1)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1 - Quit

STATEMENT OF THE CASE:

The claimant, Shane Heither, filed an appeal from a decision dated February 11, 2004, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on March 15, 2004. The claimant participated on his own behalf. The employer, Allsteel, participated by Member and Community Relations/Safety Manager June Link.

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: Shane Heither was employed by Allsteel from August 8, 1994 until January 6, 2004. He was a full-time distribution support worker.

Mr. Heither bid on a job transfer to the panel plant on second shift. He was notified at the end of December 2003 he had won the bid and he was to start the new position after the winter holidays on January 5, 2004. During the period of the plant shutdown the claimant decided he did not want to take the new job because second shift would cause him some scheduling problems, and he wanted to concentrate on his family and his schooling.

REASONING AND CONCLUSIONS OF LAW:

The issue is whether the claimant is disqualified. The judge concludes he is.

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.

The claimant may have had good personal reasons for not taking the job for which he had bid, but in order to be qualified to receive unemployment benefits, the reasons for the resignation must be for good cause attributable to the employer. In the present case the claimant bid on a job he subsequently decided he did not want and this is not attributable to the employer. He is disqualified.

DECISION:

The representative's decision of February 11, 2004, reference 01, is affirmed. Shane Heither is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount provided he is otherwise eligible.

bgh/s