

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BROOKE M EDWARDS
Claimant

APPEAL NO: 09A-UI-16135-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

A I D CENTER
Employer

OC: 10/04/09
Claimant: Appellant (2)

Section 96.5-1 – Voluntary Quit
871 IAC 24.26(1) – Job Change

STATEMENT OF THE CASE:

The claimant appealed a department decision dated October 22, 2009, reference 01, that held she voluntarily quit employment without good cause attributable to the employer on October 2, 2009, and benefits are denied. A telephone hearing was held on December 2, 2009. The claimant participated. Donna Jensen, CFO/HR representative, participated for the employer.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record, finds: The claimant was hired by the employer as a full-time case/property manager on April 21, 2009. The claimant was scheduled to work Monday through Friday, 40 hours each week. The claimant was advised during a meeting on September 17 that would be moved to part-time, 25 hours a week. The claimant gave notice by a letter of resignation on September 25th that she was quitting employment due to the change in her job status with a reduction of hours. The employer accepted the resignation and the claimant last worked on October 2, 2009.

REASONING AND CONCLUSIONS OF LAW:

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 24.26(1) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(1) A change in the contract of hire. An employer's willful breach of contract of hire shall not be a disqualifiable issue. This would include any change that would jeopardize the worker's safety, health or morals. The change of contract of hire must be substantial in nature and could involve changes in working hours, shifts, remuneration, location of employment, drastic modification in type of work, etc. Minor changes in a worker's routine on the job would not constitute a change of contract of hire.

The administrative law judge concludes that the claimant voluntarily quit employment with good cause attributable to the employer effective October 2, 2009 due to a substantial change in her job position.

The employer changing the claimant's contract for hire from full-time to part-time work status with a substantial reduction of her work hours constitutes a voluntary quit with good cause.

DECISION:

The department decision dated October 22, 2009, reference 01, is reversed. The claimant voluntarily quit with good cause attributable to the employer on October 2, 2009. Benefits are allowed, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs