

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KRISTIE J PANNKUK
Claimant

APPEAL NO: 14A-UI-03678-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ROCKWELL COLLINS INC
Employer

OC: 10/27/13
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's March 31, 2014 determination (reference 04) that disqualified her from receiving benefits and held the employer's account exempt from charge because she voluntarily quit this employment for reasons that do not qualify her to receive benefits. The claimant participated at the April 28 hearing. The employer did not respond to the hearing notice or participate at the hearing. During the hearing, Claimant Exhibit A was offered and admitted as evidence. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concluded the claimant is not qualified to receive benefits.

ISSUE:

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer in September 2005. She worked as a full-time PPC coordinator.

The employer made a business decision to reduce the number of employees. The employer asked employees if they wanted to take a voluntarily lay off from work. Since the claimant was close to retiring, she volunteered to be laid off.

The claimant signed paperwork on August 9, 2013, verifying the employer accepted her voluntarily layoff request and that she would be on a layoff status as of September 27, 2013. (Claimant Exhibit A.) The claimant's last day of work was September 27, 2013.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6(2).

The law presumes a claimant quits for reasons that qualify her to receive when she leave employment she refuses to exercise bumping privileges. Iowa Admin. Code r. 871-24.26(27). The law also presumes a claimant quits without good cause when she leaves to accept retirement when she could have continued working. Iowa Admin. Code r. 871-24.25(24).

The claimant established that she requested a voluntarily layoff because she was 64 and it was easier for her to leave than someone younger. The evidence does not establish that the claimant quit so she would not bump a less senior employee out of a job. The claimant quit for personal reasons, but her reasons do not establish she quit for reasons that qualify her to receive benefits. As of October 27, 2013, the claimant is not qualified to receive benefits.

DECISION:

The representative's March 31, 2014 determination (reference 04) is affirmed. The claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. As of October 27, 2013, the claimant is disqualified from receiving unemployment insurance benefits. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css