

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT S ENGBRETSON**  
Claimant

**APPEAL NO. 11A-EUCU-00853-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**VENTURA LOCKER**  
Employer

**OC: 02/06/11**  
**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.26(1) – Substantial Change in the Contract of Hire

**STATEMENT OF THE CASE:**

Ventura Locker filed a timely appeal from an unemployment insurance decision dated November 28, 2011, reference 02, that allowed benefits to Robert S. Engebretson. After due notice was issued, a telephone hearing was held December 28, 2011 with Mr. Engebretson participating on his own behalf. Exhibit A was admitted into evidence. The employer did not respond to the notice by providing a telephone number at which a witness could be contacted.

**ISSUE:**

Did the claimant leave work with good cause attributable to the employer?

**FINDINGS OF FACT:**

Robert W. Engebretson was employed as a meat cutter by Ventura Locker from July 7, 2008 until he resigned effective November 1, 2011. The employer reduced Mr. Engebretson's hours from full to part time on or about July 1, 2011. The employer then announced that his wages would be reduced from \$13.00 per hour to \$10.00 per hour effective November 1, 2011. This was the final straw that led Mr. Engebretson to resign.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence establishes that the claimant left work with good cause attributable to the employer. It does.

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.

An individual who resigns because of a substantial and detrimental change in the conditions of employment leaves work with good cause attributable to the employer. See 871 IAC 24.26(1). The evidence in the record establishes that the employer first reduced the claimant's hours to part-time status effective July 1, 2011 and then proposed to reduce his hourly wage effective November 1, 2011. The claimant has established by his testimony that this reduction adversely affected his ability to pay his bills. The administrative law judge concludes that the claimant has established a substantial and detrimental change in the conditions of employment. Benefits are allowed.

**DECISION:**

The unemployment insurance decision dated November 28, 2011, reference 02, is affirmed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

---

Dan Anderson  
Administrative Law Judge

---

Decision Dated and Mailed

css/css