

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ANDREW M THOMPSON
Claimant

APPEAL NO. 10A-UI-06121-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PETSMART INC
Employer

OC: 03/07/10
Claimant: Respondent (1)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Petsmart, Inc. filed an appeal from a representative's decision dated April 19, 2010, reference 02, which held that no disqualification would be imposed regarding Andrew Thompson's separation from employment. After due notice was issued, a hearing was held by telephone on June 8, 2010. Mr. Thompson participated personally. The employer participated by Roseanne Osweiler, Store Manager.

ISSUE:

At issue in this matter is whether Mr. Thompson was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Thompson began working for Petsmart, Inc. on July 26, 2009. He was hired to work part time bathing pets. He told the employer at the time of hire that he could not work past 5:00 p.m. because of his other employment. The employer initially scheduled him to work from 8:00 a.m. until 4:00 p.m. on Mondays, Tuesdays, and Saturdays.

In mid-January of 2010, Mr. Thompson was advised that the employer no longer needed bathers for the 8:00 to 10:00 a.m. time period. All work was to be performed between 10:00 a.m. and 7:00 p.m. He had been working at least 20 hours each week. Two weeks after being advised of the change in available hours, Mr. Thompson's hours were reduced. He was only on the schedule to work on a Friday. He notified an assistant manager that he was quitting because of the reduction in hours.

REASONING AND CONCLUSIONS OF LAW:

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Mr. Thompson quit because of a reduction in his work hours. He had been working from 20 to 24 hours each week. On or about January 18, the employer reduced him to

working only 8 hours a week. This constitutes a substantial change in the terms and conditions of the employment. As such, Mr. Thompson had good cause attributable to the employer for quitting. 871 IAC 24.26(1). Accordingly, benefits are allowed.

DECISION:

The representative's decision dated April 19, 2010, reference 02, is hereby affirmed. Mr. Thompson quit his employment with Petsmart, Inc. for good cause attributable to the employer. Benefits are allowed, provided he is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/pjs