

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BRENT S BUECHEL**  
Claimant

**APPEAL NO. 09A-UI-17982-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**"MANPOWER INTERNATIONAL INC  
"MANPOWER TEMPORARY SERVICES**  
Employer

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

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Brent S. Buechel filed a timely appeal from an unemployment insurance decision dated November 30, 2009, reference 02, that disqualified him for benefits. After due notice was issued, a telephone hearing was held December 21, 2009 with Mr. Buechel participating. Laurie Sander participated for the employer, Manpower Temporary Services.

**ISSUE:**

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

**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: Brent S. Buechel was employed by Manpower Temporary Services on assignment at Winegard from July 20, 2009 until he left the assignment on September 8, 2009. Mr. Buechel had made it clear to Manpower that he could only work first shift because he and his wife, who works on the second shift, were sharing one vehicle. He was placed on a first shift assignment with Winegard. At the request of the Winegard supervisor, Mr. Buechel switched to third shift for what was to be only a day or two. When the time on third shift became extended, Mr. Buechel asked to be moved back to the first shift. The Winegard supervisor said that no work was available on that shift.

Since then, Winegard has requested assistance from Manpower on the first shift, but the hours have not been offered to Mr. Buechel.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether 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.

A substantial change in the conditions of employment gives an individual good cause attributable to the employer to resign. See 871 IAC 24.26(1). A substantial change may include a change in shifts. The evidence in the record establishes that Mr. Buechel specifically requested first shift and then moved to third shift to accommodate the employer's client for what was to be only a day or two. When the client declined to move Mr. Buechel back to first shift and the employer declined to offer first shift hours to Mr. Buechel, a substantial change in the conditions of employment occurred, justifying the claimant's resignation. Benefits are allowed.

**DECISION:**

The unemployment insurance decision dated November 30, 2009, reference 02, is reversed. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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