

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARKETA S SMITH**

Claimant

**APPEAL NO: 13A-UI-12788-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**THE UNIVERSITY OF IOWA**

Employer

**OC: 10/20/13**

**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(37) – Resignation

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated November 6, 2013, reference 01, that held she voluntarily quit without good cause attributable to her employer on August 1, 2013, and benefits are denied. A telephone hearing was held on December 9, 2013. The claimant participated. Mary Eggenburg, Benefits Specialist, Kip Pedersen, Senior Financial Analyst, and Michelle Kongable, HR Assistant, participated for the employer. Employer Exhibit One was received as evidence.

**ISSUE:**

Whether the claimant voluntarily quit without good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The claimant worked for the employer beginning April 4, 2011, and last was a full-time (90%) Clerk III on August 1, 2013. Claimant submitted an e-mail resignation to HR on July 18, 2013 proposing to work to August 1. She mentioned it was for personal reasons and going to school. The employer accepted it.

Claimant requested to go part-time and work less hours. The employer rejected it as it needed her to work the hours she had been scheduled.

**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 24.25(37) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(37) The claimant will be considered to have left employment voluntarily when such claimant gave the employer notice of an intention to resign and the employer accepted such resignation. This rule shall also apply to the claimant who was employed by an educational institution who has declined or refused to accept a new contract or reasonable assurance of work for a successive academic term or year and the offer of work was within the purview of the individual's training and experience.

The administrative law judge concludes the claimant voluntarily quit without good cause attributable to his employer due to resignation for personal reasons effective August 1, 2013.

While quitting due to a desire to work less hours and school are good personal reasons, they are not a good cause attributable to the employer.

**DECISION:**

The department decision dated November 6, 2013, reference 01, is affirmed. The claimant voluntarily quit without good cause due to her resignation on August 1, 2013. Benefits are denied until the claimant requalifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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