

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TAMMY S ZAHN**  
Claimant

**APPEAL NO. 11A-UI-06321-LT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TEAM STAFFING SOLUTIONS INC**  
Employer

**OC: 04/10/11**  
**Claimant: Respondent (1)**

Iowa Code § 96.5(1) – Voluntary Leaving

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from the May 5, 2011 (reference 02) decision that allowed benefits. After due notice was issued, a telephone conference hearing was held on June 9, 2011. Claimant participated. Employer participated through claims administrator Sara Fiedler.

**ISSUE:**

The issue is whether claimant voluntarily left the employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having heard the testimony and having reviewed the evidence in the record, the administrative law judge finds: Claimant most recently worked temporary full-time as a parts worker assigned at Allsteel in Muscatine and was separated from employment on March 18, 2011. Her hours were going to be cut from 36 or more hours to 28 or fewer hours per week so she requested a transfer to the Davenport office or another assignment but no other work was available. She was unable to afford gas for the commute with fewer work hours. An Allsteel representative Mark Winters said she would not ever become a permanent employee. She called Charity in Davenport again on Monday, March 21, 2011 but there were no other assignments available.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left the employment with good cause attributable to the employer.

Iowa Code § 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 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

In general, a substantial pay reduction or 25 to 35 percent reduction of working hours creates good cause attributable to the employer for a resignation. *Dehmel v. EAB*, 433 N.W.2d 700 (Iowa 1988).

The reduction in work hours created an intolerable work environment for claimant that gave rise to a good cause reason for leaving the employment. She made reasonable efforts to communicate with the employer to find another assignment. Benefits are allowed.

**DECISION:**

The May 5, 2011 (reference 02) decision is affirmed. The claimant voluntarily left her employment with good cause attributable to the employer. Benefits are allowed, provided the claimant is otherwise eligible.

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Dévon M. Lewis  
Administrative Law Judge

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Decision Dated and Mailed

dml/pjs