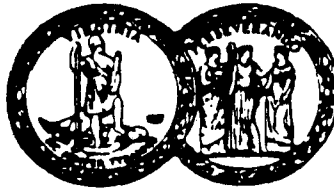


COMMONWEALTH OF VIRGINIA
VIRGINIA EMPLOYMENT COMMISSION



DECISION OF COMMISSION

In the Matter of

Audrey L. Gross, Claimant
Interstate-Washington, D. C.
[REDACTED]

Command Deliveries, Inc.
Alexandria, Virginia

Employer

Date of Appeal

To Commission: March 25, 1976

Date of Hearing: June 23, 1976

Decision No.: 8298-C

Date of Decision: August 16, 1976

Place: Richmond, Virginia

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This is a matter before the Commission on appeal by the claimant from the decision of the Examiner (No. UI-76-388), dated March 8, 1976.

ISSUE

Did the claimant voluntarily leave her last employment without good cause within the meaning of § 60.1-58 (a) of the Code of Virginia (1950), as amended?

FINDINGS OF FACT AND OPINION

The claimant last worked for Command Deliveries, Inc., Alexandria, Virginia, as a driver from July, 1973, through November 19, 1975. In November the claimant's hours were cut to approximately three and a half per day and her salary was reduced accordingly. The claimant left work fearing that she could not continue to work for approximately 50 percent of her previous salary. The employer, in the separation notice furnished the Commission, indicated that the employee was reassigned as part of an overall reorganization which was due to a reduced workload.

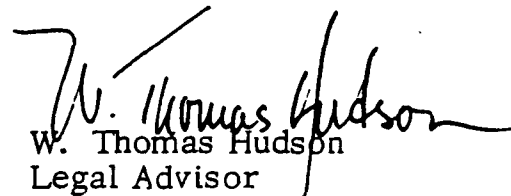
Section 60.1-58 (a) of the Virginia Unemployment Compensation Act provides a disqualification if it is found that an individual left work voluntarily without good cause.

According to the information submitted by the employer the claimant was reassigned as a part of reorganization due to the reduced workload. Such re-assignment resulted in a decrease in earnings for the claimant from approximately \$120 per week to \$65 per week. This amounted to a reduction of approximately 50 percent.

In Myrtis H. Mayhew v. Capitol Concrete Rental Corp., Commission Decision No. 5909-C (March 12, 1973), the Commission held that a reduction in earnings of 31 percent would present the claimant with good cause to leave her employment. In the present case it is apparent that the claimant's earnings were reduced by approximately 50 percent. Accordingly, the Commission is of the opinion that such reduction in the claimant's earnings did present her with good cause to leave her employment.

DECISION

The decision of the Appeals Examiner is hereby reversed. The deputy is directed to determine the claimant's eligibility for the weeks benefits are claimed.


W. Thomas Hudson
Legal Advisor