

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**DIXIE L WOODRUFF
PO BOX 305
WALNUT IA 51577**

**JEENS INC – MCDONALDS
2653 N BROAD ST
FREMONT NE 68025-2319**

**Appeal Number: 05A-UI-06980-CT
OC: 06/12/05 R: 01
Claimant: Appellant (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Dixie Woodruff filed an appeal from a representative's decision dated July 1, 2005, reference 01, which denied benefits based on her separation from Jeens, Inc. After due notice was issued, a hearing was held by telephone on August 4, 2005. Ms. Woodruff participated personally and Exhibit A was admitted on her behalf. The employer participated by Steve Leonard, Owner, and Alex Walker, Area Supervisor.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all the evidence in the record, the administrative law judge finds: Ms. Woodruff was employed by Jeens, Inc., doing business as McDonald's restaurant, from March 26, 2001 until April 27, 2005. She was last employed full time as general manager, a position she had held since January of 2002. She voluntarily quit the employment because of conflicts with Alex Walker, her area supervisor. Mr. Walker became the area supervisor on April 1, 2005. Ms. Woodruff felt he "micro-managed" her crew members by pointing out deficiencies in their performance. She felt Mr. Walker was responsible for crew members quitting their employment.

Ms. Woodruff's primary concern was the number of hours she was working each week. She was expected to work 45 hours each week but was working as many as 60 or 70 hours in some weeks. She was working excessive hours because she did not have shift managers. Prior to losing shift managers in April of 2005, Ms. Woodruff had been working 50 to 55 hours per week but found this number manageable. Both Ms. Woodruff and the employer were working to hire new shift managers as well as additional crew personnel. Ms. Woodruff was unhappy that Mr. Walker changed the day of the week on which she would hold shift manager meetings. She had been holding the meetings on Mondays but he wanted them scheduled on Tuesdays.

Ms. Woodruff had concerns regarding Mr. Walker's handling of ordering a new grill for her location. She felt he was responsible for delays in getting the grill installed. She also felt he failed to timely make arrangements to sell the old grill as directed by the owner. When Mr. Walker had not made arrangements for the sale after two weeks, Ms. Woodruff took over the task. Ms. Woodruff was upset by an incident in which Mr. Walker left the restaurant before the dinner rush after being given instructions by the owner to assist a shift manager during the dinner hour.

Ms. Woodruff participated in weekly meetings with the owner of the business. He was in her location approximately two times each month. She never approached him about any problems she was having at work, other than staffing. Ms. Woodruff had a good working relationship with her former area supervisor, Brent Dillinger, who became operations manager and was over Mr. Walker. Ms. Woodruff never approached Mr. Dillinger about any problems she was having at work. On the day she quit, Mr. Walker was in the restaurant conducting a cleanliness audit. Ms. Woodruff questioned him as to whether he used a different cleanliness standard for the restaurant in Missouri Valley that he supervised. Mr. Walker indicated he was offended by her suggestion that he gave the other restaurant preferential treatment. After this, Ms. Woodruff announced that she was quitting. Continued work would have been available if she had not quit.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Ms. Woodruff was separated from employment for any disqualifying reason. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). In order for a reason for quitting to constitute good cause attributable to the employer, the employee must give the employer notice of work-related problems and must notify the employer that she intends to quit if the problems are not corrected. See Cobb v. Employment Appeal Board, 506 N.W.2d 445 (Iowa 1993). Ms. Woodruff never put the employer on notice that she was contemplating quitting because of issues with Mr. Walker or because of any other work-related problems. She met with the owner

on a weekly basis but never raised any issues regarding Mr. Walker. The owner was in the restaurant at least two times each month but, Ms. Woodruff never approached him regarding any problems associated with Mr. Walker. The employer was aware of staffing concerns and was working with Ms. Woodruff to remedy those issues.

The administrative law judge concludes that Ms. Woodruff did not allow the employer an opportunity to correct or address the matters that caused her to quit. She did not give the employer an opportunity to salvage the employment relationship. None of the matters she cited during the hearing were such that she was justified in quitting before giving the employer an opportunity to address her grievances. For the reasons cited herein, the administrative law judge concludes that Ms. Woodruff did not have good cause attributable to the employer for quitting. Accordingly, benefits are denied.

DECISION:

The representative's decision dated July 1, 2005, reference 01, is hereby affirmed. Ms. Woodruff voluntarily quit her employment for no good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly job insurance benefit amount, provided she satisfies all other conditions of eligibility.

cfc/kjf