

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTINA L MYERS
Claimant

APPEAL NO. 08A-UI-02085-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GOODWILL INDUSTRIES OF NE IA INC
Employer

**OC: 01/27/08 R: 04
Claimant: Appellant (1)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Christina Myers, filed an appeal from a decision dated February 28, 2008, reference 02. The decision disqualified her from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on March 17, 2008. The claimant participated on her own behalf. The employer, Goodwill Industries, participated by Human Resources Director Connie Stroh.

ISSUE:

The issue is whether the claimant quit work with good cause attributable to the employer.

FINDINGS OF FACT:

Christina Myers was employed by Goodwill Industries from January 3, 2005 until January 9, 2008, as a full-time community trainer stationed out of the Oelwein, Iowa, office. In November 2007, she had filed a complaint against a co-worker alleging he had injured one of the employer's consumers. The matter was investigated and it was found the consumer had injured himself while on an outing.

Ms. Myers was scheduled to be on vacation from January 14 through February 1, 2008, with approval of the employer. Before going on vacation she called Program Manager Jenny Reuther to ask about the results of the investigation of her complaint. She was told the employer did not share the results with other employees. At that time Ms. Myers told Ms. Reuther she no longer wanted to work in the Oelwein office but to work in the Waterloo office. The program director told Ms. Myers it was "up to" her.

Ms. Myers had worked in the Waterloo office in 2002, and approximately 18 months after ending that period of employment she was rehired as a community trainer in the Oelwein office. She apparently believed it was up to Ms. Reuther to make the necessary arrangements to find her a job in the Waterloo office and do the necessary paperwork for her so that when her vacation ended February 1, 2008, she would merely start working in Waterloo. No specific request was made by the claimant for anyone at Goodwill Industries to process a transfer request, she did not contact any personnel in Waterloo to ask for job openings and apply for them, and was

astonished when she received a letter from Human Resources Director Connie Stroh on January 22, 2008, stating her resignation had been accepted.

When the claimant contacted Ms. Stroh on January 24, 2008, stating she had not quit, the employer asked her whether she had informed Ms. Reuther on January 9, 2008, she was quitting and would not be returning to her job in Oelwein, and she admitted she had.

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.

The claimant did voluntarily quit her job as a community trainer for Goodwill Industries in the Oelwein office. Perhaps it was her intention to transfer to Waterloo but at no point did she make even the slightest attempt to notify Ms. Reuther, Ms. Stroh or anyone in the Waterloo office of her intention to transfer. She merely said she no longer wanted to work in Oelwein and wanted to work in Waterloo. That is sufficient indication that she did not intend to return to the job for which she had been hired in that office.

There is nothing in the record to indicate the employer ever promised or guaranteed her a transfer or that anyone assured her that the employer would process any paperwork on her behalf. Her assumption that she would merely show up in the Waterloo office at the end of her vacation and have a job waiting there for her is totally unfounded. She acknowledged to the human resources director she had quit and there is nothing in the record to establish good cause attributable to the employer for quitting other than being unhappy the program manager would not disclose the results of an investigation into dependent adult abuse she had lodged against a co-worker. The employer is not obliged to share the results of such an investigation or disclose what, if any, disciplinary action was taken against another employee.

DECISION:

The representative's decision of February 28, 2008, reference 02, is affirmed. Christina Myers is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/pjs

