

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ERIC L BOIKE**  
Claimant

**APPEAL NO. 06A-UI-11645-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ALLIEDBARTON SECURITY SERVICES LLC**  
Employer

**OC: 12/04/06 R: 02  
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated December 4, 2006, reference 01, that concluded he voluntarily quit employment without good cause. A telephone hearing was held on December 19, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing with a witness, James Santii. Gerald Ramos participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full time for the employer as a roving account manager from February 28, 2006, to November 9, 2006. The claimant voluntarily quit employment on November 9, 2006, due to being required to work overwhelming hours because of a troublesome client. The claimant was working 75 to 80 hours per week, which was far in excess of the number of hours that he was informed he would be required to work when he was hired. The employer acknowledges the situation was intolerable.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

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 24.26(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.

The evidence establishes that the claimant quit due to intolerable working conditions. The employer acknowledges that such conditions existed when the claimant left employment.

**DECISION:**

The unemployment insurance decision dated December 4, 2006, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/kjw