

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DEBRA L HART
Claimant

APPEAL NO. 14A-UI-11479-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PIONEER HI-BRED INTERNATIONAL INC
Employer

**OC: 10/12/14
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated October 28, 2014, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on November 25, 2014. The parties were properly notified about the hearing. The claimant participated in the hearing with a witness, Robin Pfaltzgraf. No one participated in the hearing on behalf of the employer and the employer sent in a letter stating it was not contesting the claimant receiving unemployment insurance benefits.

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 an administrative assistant from February 13, 2012 to October 10, 2014. Patty Adam was her supervisor. The employer has an open door policy allowing employees to bring concerns to their supervisor.

During the course of her employment, the claimant was repeatedly subjected to rude and condescending treatment by another administrative assistant, Les Grooms. She called her and other employees stupid, she loudly announced so that other employees could hear when she found any mistakes she had made, and she talked to her as if she were a child. When she complained about Grooms to Adam, no effective action was taken to resolve the issues. On one occasion when the claimant complained to Adam about Grooms' treatment of her, she told the claimant that she was a complainer and accused the claimant of not doing her job.

The final incident occurred on September 25 when the claimant was brought in to be disciplined for being disrespectful to Adam. The plant manager was also present. Adam had kept track of the number of time that claimant come into her office and complained about Grooms' treatment of her and accused the claimant of being rude and disrespectful to her. The claimant had at times loudly expressed her frustration with Grooms and lack of action on changing Grooms' conduct. The claimant brought up in the meeting that Adam never took her seriously and

mentioned the remark where Adam said she was a complainer. Adam falsely denied making the statement. At that point, the claimant was convinced that nothing would be done to resolve her issues and she submitted her two-week' notice on September 29, 2014.

She quit employment because she found working conditions intolerable due to Grooms' hostile conduct toward her and the lack of effective action by management to correct the problem.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

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 left work due to intolerable working conditions, she had taken reasonable steps to resolve the issues regarding her hostile coworker but no effective action was taken to correct the problems. Her supervisor ended up taking disciplinary action against her based on her attempts to resolve the issues regarding her coworker, which convinced the claimant that her complaints would not be taken seriously. Good cause attributable to the employer for leaving employment has been established.

DECISION:

The unemployment insurance decision dated October 28, 2014, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/can