

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STACY L JOHNSON
Claimant

APPEAL NO. 11A-UI-08389-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BEN SHINN TRUCKING INC
Employer

**OC: 05/22/11
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated June 17, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on July 9, 2011. Claimant did not respond to the notice of hearing and did not participate. Employer participated by Ike Provenzano, shop foreman, and Sandy Carolson, safety director.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and having considered all of the evidence in the record, finds: Claimant was employed with the employer through November 6, 2010. He quit his employment due to his inability to get along with a coworker.

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.

Claimant left his employment because he could not get along with his coworker. This reason for leaving employment is without good cause attributable to the employer. See 871 IAC 24.25(6). Accordingly, the separation is without good cause attributable to the employer and benefits must be denied.

DECISION:

The June 17, 2011, reference 01, decision is affirmed. Benefits are withheld until such time as claimant works in and has been paid wages equal to ten times his weekly benefit amount, provided claimant is otherwise eligible.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/kjw