

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LINDA C HUIZENGA**  
Claimant

**APPEAL NO. 10A-EUCU-00263-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CASEY'S MARKETING COMPANY**  
Employer

**OC: 03/22/09**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from a representative's decision dated April 2, 2010, reference 06, which denied benefits based upon her separation from Casey's Marketing Company. After due notice, a telephone conference hearing was scheduled for and held on May 19, 2010. The claimant participated personally. The employer participated by Jennifer Skiles.

**ISSUE:**

At issue is whether the claimant left the employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered all of the evidence in the record, the administrative law judge finds: Linda Huizenga was employed by Casey's Marketing Company from January 12, 2010 until March 7, 2010 when she voluntarily left employment. Ms. Huizenga was hired as a full-time cashier and was paid by the hour.

The claimant tendered her two-week notice of intention to leave on or about March 5, 2010 due to dissatisfaction with a previous work shift not completing their duties and because of the statement of the facility's assistant manager indicating that Ms. Huizenga as well was not completing all of the duties assigned to her.

Ms. Huizenga was upset that a previous shift had not emptied the garbage at the convenience store where the claimant was assigned and the claimant therefore called one of the previous shift workers and called Ms. Skiles at home as well. On March 5, 2009 Ms. Skiles reviewed the matter and instructed the claimant not to call employees or the assistant manager at home. Ms. Skiles also indicated that the claimant was not fulfilling all of her job duties. The claimant disagreed and felt that the statement indicated that she would not have a good employment relationship at that employer and therefore she tendered her notice of intention to leave in two weeks. After reporting for approximately two or more days Ms. Huizenga discontinued reporting for work.

Employees who are dissatisfied with management decisions had the ability to go up the chain of command to complain to hire management if they felt that their complaints were not being addressed by their immediate supervisors.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes that the claimant voluntarily left 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.

An individual who voluntarily leaves her employment must first give notice to the employer of the reason for quitting in order to give the employer an opportunity to address or resolve the complaint. Cobb v. Employment Appeal Board, 506 N.W.2d 445 (Iowa 1993). An employee who receives a reasonable expectation of assistance from the employer after complaining about working conditions must complain further if the conditions persist in order to preserve eligibility for benefits. Polley v. Gopher Bearing Company, 478 N.W.2d 775 (Minn. App. 1991).

Inasmuch as the claimant did not give the employer an opportunity to resolve her complaints prior to leaving the employment the separation was without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's decision dated April 2, 2010, reference 06, is affirmed. The claimant voluntarily quit her employment without good cause attributable to the employer. Benefits are withheld until such time as the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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