

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TRESA L FRASE
Claimant

CASEY'S MARKETING COMPANY
Employer

APPEAL NO. 14A-UI-05445-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/04/14
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated May 21, 2014, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 16, 2014. Claimant participated. Employer participated by Pam Marts. Employer's Exhibits 1-4 were admitted into evidence.

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 considered all of the evidence in the record, finds: Claimant last worked for employer on May 2, 2014. Claimant stated that she had difficult working conditions, had a co-worker who would drink on the job, and had to work alternating second shift and third shift hours, which was very difficult for her sleep patterns.

Claimant's allegations as to a co-worker drinking were checked out by her manager and were unfounded. Employer had additional workers work with claimant to make sure that all cleaning duties and other responsibilities were accomplished. As to the difficulty with alternating between second and third shift, when employer did not have much contact with claimant she would schedule her for a couple of shifts on second shift so that they might have more time to communicate.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because claimant's issues were being addressed by employer. The issue concerning the splitting of shifts between second and third shift was a temporary matter to give claimant and employer an opportunity to discuss matters. Claimant did not present any medical evidence as to why this could not happen on rare occasions.

Iowa Code § 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.

DECISION:

The decision of the representative dated May 21, 2014, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/pjs