

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEBRA K BEAUMONT**  
Claimant

**APPEAL NO: 12A-UI-00154-DT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WAVERLY HEALTH CENTER**  
Employer

**OC: 11/27/11**

**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

Waverly Health Center (employer) appealed a representative's December 27, 2011 decision (reference 01) that concluded Debra K. Beaumont (claimant) was qualified to receive unemployment insurance benefits after a separation from employment. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on February 3, 2012. The claimant participated in the hearing. Karen Buls appeared on the employer's behalf and presented testimony from one other witness, Andrea Steele. During the hearing, Employer's Exhibit One and Claimant's Exhibits A, B, C, and D were entered into evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Did the claimant voluntarily quit for a good cause attributable to the employer?

**OUTCOME:**

Affirmed. Benefits allowed.

**FINDINGS OF FACT:**

The claimant started working for the employer on March 7, 2011. She worked full time as a registered nurse in the surgery complex of the employer's hospital. Her last day of work was November 23, 2011. She voluntarily quit work as of that date, having given notice to the employer on October 27, 2011.

The claimant quit because she felt that she was being retaliated against because of restrictions under which she was working due to a work-related injury and her supervisor's reluctance to abide by those restrictions. She returned to work with restrictions from the injury on July 15, 2011. The claimant's supervisor attempted to schedule the claimant to perform work contrary to her work restrictions, forcing the claimant to object and point out that the supervisor was not complying with the work restrictions. From that point through October 27 the claimant's supervisor began giving her negative appraisals and criticized the claimant's behavior and

attitude. On October 21 the claimant's supervisor presented the claimant with a written warning regarding a number of issues. The claimant wrote her own response to the written warning and presented it to the employer. Shortly thereafter she tendered her resignation because of what she felt was harassment for her insisting that her supervisor honor her work restrictions.

The claimant established a claim for unemployment insurance benefits effective November 27, 2011. The claimant has received unemployment insurance benefits for two weeks after the separation, for a total of \$620.00.

**REASONING AND CONCLUSIONS OF LAW:**

If the claimant voluntarily quit her employment, she is not eligible for unemployment insurance benefits unless it was for good cause attributable to the employer. Iowa Code § 96.5-1. Intolerable or detrimental working conditions are good cause for quitting attributable to the employer. 871 IAC 24.26(4). The claimant has demonstrated that a reasonable person would find the employer's work environment detrimental or intolerable. *O'Brien v. EAB*, 494 N.W.2d 660 (Iowa 1993); *Uniweld Products v. Industrial Relations Commission*, 277 So.2d 827 (FL App. 1973). Benefits are allowed.

**DECISION:**

The representative's December 27, 2011 decision (reference 01) is affirmed. The claimant voluntarily quit for good cause attributable to the employer. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

ld/pjs