

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CLAUDIA F HAMAN**  
Claimant

**APPEAL NO. 12A-UI-13544-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA CITY COMMUNITY SCHOOL DIST**  
Employer

**OC: 10/21/12  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(22) – Supervisor Conflict

**STATEMENT OF THE CASE:**

The claimant appealed a department representative's decision dated November 6, 2012, reference 01, that held she voluntarily quit without good cause on October 17, 2012, and benefits are denied. A hearing was held on December 11, 2012. The claimant participated. Lyndsee Detra, HR Specialist, participated for the employer. Employer Exhibit One was received as evidence.

**ISSUE:**

The issue is whether the claimant voluntary quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witnesses, and having considered the evidence in the record, finds that: The claimant started work for the employer beginning August 16, 2006 and last worked as a full-time, food-service employee on October 17, 2012. The claimant worked under the same kitchen manager at West High School during her employment.

On October 17 the claimant walked off the job and quit over a disagreement with the kitchen manager about a work assignment. Although claimant had previous concerns with work instructions about food preparation she had not filed a union grievance or otherwise reported the issues to human resources.

The employer sent claimant a letter on October 24 when she failed to return to work. She was advised that her unexcused absence period had exceeded two days that meant she was a voluntary quit from employment.

**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.

871 IAC 24.25(22) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(22) The claimant left because of a personality conflict with the supervisor.

The administrative law judge concludes that the claimant voluntarily quit without good cause attributable to her employer when she left her job on October 17, 2012 due to a personality conflict with her manager.

The claimant failed to present her issues with the employer kitchen manager through a union representative or human resources. While there might be some merit to claimant's contentions her manager food preparation instructions violated some food health standards, she failed to establish this through a proper review process. Her decision to walk off the job and remain absent from employment is a voluntary quit without good cause.

**DECISION:**

The decision of the department's representative dated November 6, 2012 reference 01, is affirmed. The claimant voluntary quit without good cause attributable to the employer on October 17, 2012. Benefits are denied until the claimant re-qualifies by working in and being paid wages for insured work equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/bjc