

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

LORI J TOWNSEND
Claimant

INTERPOWER CORPORATION
Employer

APPEAL NO. 20A-UI-11580-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/14/20
Claimant: Appellant (2)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated September 10, 2020, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on October 27, 2020. Claimant participated. Employer failed to respond to the hearing notice and did not participate. Claimant's Exhibits A-I were admitted into evidence.

ISSUES:

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 June 19, 2020. Claimant voluntarily quit after that date, as she was unable to get a reasonable solution to the difficulties she would have on a daily basis with a coworker.

Claimant worked as a full time bookkeeper for employer. Claimant was forced as a result of her position to have daily interactions with the company's accountant. But the accountant would refuse to talk to claimant, only communicating through post-its, or emails and would continually leave large amounts of work on claimant's desk after claimant left for the day. Claimant stated that she was consistently insulted by the accountant.

Claimant repeatedly went to employer and human resources with complaints about her treatment from the co-worker. Employer responded that there was nothing that could be done. Claimant offered different solutions to eliminate her interactions with the coworker, but employer refused each of claimant's suggestions.

Claimant consistently received high ratings for the quality of work that she would produce, but the accountant never backed off the insulting actions and words. Claimant had multiple health problems including migraines and depression that occurred as a direct result of interactions with the coworker and nothing being done by employer to improve the situation. Claimant put in a

two-weeks' notice on June 5, 2020 and quit her job on June 19. There was work available when claimant quit.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because employer refused to address claimant's constant harassment by her coworker that was causing her physical and mental health difficulties.

DECISION:

The decision of the representative dated September 10, 2020, reference 01, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible.



Blair A. Bennett
Administrative Law Judge

October 29, 2020
Decision Dated and Mailed

bab/sam