

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**THOMAS J GARROW**  
Claimant

**APPEAL NO. 15A-UI-01055-S2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LETICA CORPORATION**  
Employer

**OC: 01/04/15  
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Thomas Garrow (claimant) appealed a representative's January 22, 2015, decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he voluntarily quit work with Letica Corporation (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for February 18, 2015. The claimant participated personally. The employer did not provide a telephone number where it could be reached and therefore, did not participate in the hearing.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired in September 2014, as a full-time group lead or supervisor. He worked through October 11, 2014. At some point in his training his trainers told him he could circumvent a safety process. As a supervisor, the claimant did not tell trainers their actions were inappropriate. The claimant called in absent on October 13 and 14, 2014. On October 15, 2014, the claimant left a voice mail for the employer stating he wanted to talk to the employer. In the voice mail he did not indicate the topic he wished to discuss. The claimant did not appear for work or call the employer again. The claimant did not like his work environment because in a previous job as a supervisor he was attacked by a subordinate. The claimant suffered from post-traumatic stress disorder.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

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.

Iowa Admin. Code r. 871-24.25(21) 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:

(21) The claimant left because of dissatisfaction with the work environment.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. Local Lodge #1426 v. Wilson Trailer, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by his actions. He stopped appearing and quit work. When an employee quits work because he is dissatisfied with the work environment, his leaving is without good cause attributable to the employer. The claimant left work because he did not like his work environment. His leaving was without good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's January 22, 2015, decision (reference 01) is affirmed. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/pjs