

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KAY F ROUSE**  
Claimant

**APPEAL NO. 14A-UI-01114-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GENESIS DEVELOPMENT**  
Employer

**OC: 01/05/14  
Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Kay Rouse, filed an appeal from a decision dated January 24, 2014, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on February 20, 2014. The claimant participated on her own behalf. The employer, Genesis Development, participated by Site Manager Jennifer Ellis.

**ISSUE:**

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

**FINDINGS OF FACT:**

Kay Rouse was employed by Genesis Development from January 15, 2008 until January 4, 2014 as a full-time discovery supervisor. She submitted a written resignation on December 4, 2013, stating her last day of work would be January 4, 2014.

Ms. Rouse submitted her resignation at that time because the day before a subordinate of hers was no-call/no-show to work. She was under the belief Site Manager Jennifer Ellis had agreed to discharge this person if she missed any more work, and informed her of the attendance issue. Ms. Ellis only said she would look into it because the disciplinary policy considers three days of no-call/no-show to be grounds for discharge. There was no specific agreement to discharge this person for one absence. The disciplinary consequences for this individual were not discussed with Ms. Rouse later because she had submitted her resignation already and the personnel matters were discussed with her replacement.

The claimant was generally displeased this person had been transferred into her area. Ms. Rouse felt this woman did not have a good work ethic and did not perform her job as required. When she brought these concerns to Ms. Ellis when the person was first transferred, she was told she could have her own assistant manager supervise this employee directly if she did not want to do it herself, but Ms. Rouse declined, electing to be the direct supervisor.

She further felt other supervisors in the company had not issued disciplinary action to their own subordinates in the manner in which she felt complied with the established policies. Whether or not this is the case she did not know because these were other supervisors in other areas and she would not have been privy to any disciplinary actions they took against their own subordinates.

On December 4, 2013, the claimant's subordinate arrived at work, in her opinion, "high on drugs." The employer does not have a drug testing policy and the only disciplinary action is to send the employee home. Ms. Rouse did this. She found the situation so stressful she submitted her resignation.

She maintained all these factors contributed to stress, anxiety and high blood pressure. She had been referred to the employee assistance program for counseling which she had done for a few months.

### **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.

The claimant stated she was under "physical and mental stress and anxiety" as a result of the workplace. "Good cause" for leaving employment must be that which is reasonable to the average person, not to the overly sensitive individual or the claimant in particular. *Uniweld Products v. Industrial Relations Commission*, 277 So.2d 827 (Florida App. 1973). There does not appear to have been anything affecting the claimant except a lot of disagreements with the manner in which the employer elected to discipline its employees. She felt it was not rigid enough and that other supervisors in other departments were not issuing appropriate discipline.

Her dislike of the new subordinate was brought to the attention of management which gave her a viable option to have her assistant supervise this person. She declined the employer's offered solution, thus adding to her own stress.

The record establishes the claimant simply disagreed with the manner in which the employer elected to conduct its business and deal with its employees. This caused the stress and anxiety because things were not being done to her satisfaction. She was in no way held accountable for the actions of other supervisors, and was given the authority to discipline her own subordinates in accordance with company policies.

The claimant's resignation was not for good cause attributable to the employer and she is disqualified.

**DECISION:**

The unemployment insurance decision dated January 24, 2014, reference 01, is affirmed. Kay Rouse is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs