

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HARLAN W WILSON
Claimant

**PRM INC
J & K BUTTON CO**
Employer

APPEAL NO: 12A-UI-03690-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 02/26/12
Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit
871 IAC 24.26(4) – Detrimental Work Environment

STATEMENT OF THE CASE:

The employer appealed a department decision dated March 29, 2012, reference 01, that held claimant voluntarily quit employment with good cause on February 16, 2012, and benefits are allowed. A telephone hearing was held on April 25, 2012. The claimant participated. William McGowan, Owner, participated for the employer.

ISSUE:

The issue is whether the claimant voluntarily 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: The claimant began work on May 5, 2010, and last worked for the employer as a full-time helper to Owner McGowan on February 16, 2012. McGowan's father (Ron) is company vice-president and works in shipping. While the employer has other part-time workers claimant is the only full-time employee.

Claimant worked with Owner McGowan on the punch press when needed and other assigned jobs. During the last year of employment, McGowan or his father provided claimant transportation to and from work. There were several incidents where claimant left work due to work relationship issues with the owner, and after talking to his father, he did return.

On February 16, claimant finished some jobs and the owner requested him to listen about a process change. Claimant perceived the owner was nitpicking, and the owner thought claimant wasn't listening. An argument ensued to the point claimant said you won't have to worry about this much longer, and the owner responded it would be better if claimant started looking for another job.

Claimant contacted the father, Ron, in shipping and told him what happened. He responded it was okay to take some time off and look for another job. There was no further meaningful

contact between claimant and the employer, and after a week passed, claimant filed his unemployment claim.

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 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

The administrative law judge concludes that the claimant voluntarily quit employment with good cause attributable to the employer on February 16, 2012 due to detrimental working conditions.

The claimant was hired to work for and with the owner that meant it required a close working relationship. Since claimant was the only full-time employee, the owner put more pressure on him to perform than any other employee. This work relationship environment led to "incidents" where claimant left work, used the owner's father to later broker a peace, and claimant returned to work. The owner and occasionally his father was claimant's ride to and from work that meant there was probably more conversation about work than what a normal employee would hear.

This close working relationship with transportation to and from work created an unintentional detrimental working condition as described above that gave claimant a good cause for quitting employment. When claimant said you won't have to worry about this much longer (meaning the work relationship), the owner immediately retorted he'd better look for another job that meant he wanted claimant to leave employment.

DECISION:

The department decision dated March 29, 2012, reference 01, is affirmed. The claimant voluntarily quit with good cause attributable to the employer on February 16, 2012. Benefits are allowed, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs