

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RONALD L CHRISTIANSEN**  
Claimant

**APPEAL NO. 13A-UI-11560-MT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**QPS EMPLOYMENT GROUP INC**  
Employer

**OC: 09/01/13**  
**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Employer filed an appeal from a decision of a representative dated October 4, 2013, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on November 6, 2013. Claimant participated. Employer participated by Rhonda Hefter, Human Resource Supervisor and Erin Rivera, Placement Coordinator. Exhibit One was admitted into evidence.

**ISSUE:**

The issue in this matter is 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 August 31, 2013. Claimant quit because the plant manager called him a worthless son of a bitch. Claimant quit after about the fourth incident of profane language. Claimant complained to the workplace management team but did not contact the employer.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge holds that the evidence established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because he was harassed by a manager. The name calling creates a hostile work environment. This is good cause to quit even where employer was not given a chance to intervene. Such name calling is of such a serious nature that it constitutes an intolerable working condition on the first infraction. Benefits allowed.

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(3) and (4) provide:

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:

(3) The claimant left due to unlawful working conditions.

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

**DECISION:**

The decision of the representative dated October 4, 2013, reference 01, is affirmed. Insurance benefits are allowed, provided claimant is otherwise eligible.

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Marlon Mormann  
Administrative Law Judge

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Decision Dated and Mailed

mdm/css