

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HOLIHANITRA V RABEARISON**  
Claimant

**APPEAL NO: 13A-UI-07248-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WATERLOO GENERAL MARKET INC**  
Employer

**OC: 02/14/10**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Quit

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's June 11, 2013 determination (reference 08) that disqualified her from receiving benefits and held the employer's account exempt from charge because she voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant participated in the hearing. Afi Koudadje and Koffi Gangba, the owners, appeared on the employer's behalf. Based on the evidence, the arguments of the parties, and the law, the administrative law judge concludes the claimant is not qualified to receive benefits.

**ISSUE:**

Did the claimant voluntarily quit her employment for reasons that qualify her to receive benefits, or did the employer discharge her for reasons constituting work-connected misconduct?

**FINDINGS OF FACT:**

The claimant started working for the employer in January 2013 as a full-time employee. The claimant's job required her to work as a cashier, stock shelves and mop the floor. During the last weeks of her employment, the employer was not fully staffed.

On May 13, Koudadje hired a new part-time employee to replace the part-time employee who had recently quit. Koudadje worked with the claimant on May 13 and told the claimant that when she stocked items, she needed to put the heavy items on the bottom and the lighter items on top. Also in the storage area, employees were to make sure they made boxes flat when they were empty. Koudadje did not want items left on the floor where someone could trip and injure themselves. Koudadje also reprimanded the claimant for failing to dump the mop water out. On May 13, the claimant told Koudadje how tired she was. The claimant told Koudadje that she was always working and questioned whether Koudadje was satisfied with her work.

After Koudadje talked to the claimant on May 13, the claimant contacted her husband, Gangba and complained to him about Koudadje. On May 14, Koudadje asked the claimant why she had lied to Gangba about what she had talked to the claimant about. Koudadje told the claimant that if she complained to Gangba she needed to be truthful.

While Koudadje worked at the computer, the claimant approached her and asked her to remove the security system in the store. The claimant did not like cameras recording what she did. Koudadje would not remove the security system. The claimant became upset and left for a while. When the claimant returned a short time later, Koudadje asked if she was coming back to work on Thursday. The claimant told her yes.

On Thursday, the claimant called the owners' home. The claimant told Gangba that Koudadje had discharged her. Koudadje was present and asked to talk to the claimant to tell her personally she had not been discharged. The claimant would not talk to Koudadje. The claimant did not return to work.

When the claimant left on May 14 she decided she would not return to work because she incorrectly believed the employer had hired the new employee to replace her. Also, the claimant did not believe Koudadje appreciated all the hard work she did at the store and was not satisfied with her work. Koudadje's comments hurt and insulted the claimant. The claimant reopened her claim for benefits during the week of May 12, 2013.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code §§ 96.5(1), (2)a. The employer did not discharge the claimant. The claimant made the decision she would not return to work after May 14, 2013. The claimant voluntarily quit her employment. When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6(2).

The law presumes a claimant quits without good cause after she has been reprimanded or she is not satisfied with the work environment. 871 IAC 24.25 (28), (21). The claimant quit after the employer reprimanded her for failing to get rid of dirty water she had used to mop the floor. The claimant believed the employer did not appreciate all the hard work she did and planned to replace her. The employer had no plans to replace the claimant. The claimant was tired and felt insulted by Koudadje.

The claimant quit for personal reasons, but her reasons for quitting do not qualify her to receive benefits. As of May 12, 2013, the claimant is not qualified to receive benefits.

**DECISION:**

The representative's June 11, 2013 determination (reference 08) is affirmed. The claimant voluntarily quit her employment for reasons that do not qualify her to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of May 12, 2013. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs