

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JOLENE M HENSLEY**  
Claimant

**APPEAL NO: 12A-UI-10113-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**COBIA COMMUNITY SERVICES LLC**  
Employer

**OC: 07/22/12**  
**Claimant: Respondent (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.26(4) – Intolerable/Detrimental Working Conditions  
871 IAC 26.8(5) – Decision on the Record

**STATEMENT OF THE CASE:**

The employer appealed a department decision dated August 14, 2012, reference 01, that held the claimant voluntarily quit with good cause attributable to her employer on July 6, 2011, and which allowed benefits. A telephone hearing was scheduled for September 13, 2012. The claimant and employer did not participate.

**ISSUE:**

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 worked for the employer as a full-time unit coordinator from October 31, 2011 to July 6, 2012. The claimant quit employment due to employer's unethical work practices, which involved patient neglect reported to DIA.

Claimant and employer failed to respond to the hearing notice.

**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 the claimant voluntarily quit with good cause attributable to her employer due to intolerable and detrimental working conditions on July 6, 2012.

Since the claimant and employer failed to participate, this decision was based on the department fact-finding record.

**DECISION:**

The department decision dated August 14, 2012, reference 01, is affirmed. The claimant voluntarily quit with good cause attributable to her employer on July 6, 2012. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/kjw