

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**JANICE A MOZINGO**  
Claimant

**APPEAL NO. 16A-UI-12603-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ATTACHMENT TECHNOLOGIES INC**  
Employer

**OC: 10/30/16**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated November 18, 2016, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on December 13, 2016. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

**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 November 2, 2016. Claimant voluntarily quit her employment on November 2, 2016 because she had been treated differently over the last six months of her employment than she'd been treated the previous five years of her employment.

Claimant stated that a coworker was elevated to supervisor six months prior to claimant's quit. Since that time, the department had turned into cliques, and claimant tried to keep everyone working together. The day prior to claimant's quit, she'd been the only account assistant to receive a performance improvement plan, even though claimant was doing very well in all the areas noted for improvement. Claimant believed that she was being forced out of her position, and her pride was hurt as claimant had never received a performance improvement plan prior to receiving one the day before she quit.

Claimant was not given different hours, was not demoted, did not have her pay decreased, and was not threatened with her job through the performance improvement plan.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code § 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 administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she'd received a performance improvement plan the day before. Although it would be difficult to receive a performance improvement plan, and claimant had never received one previously, said improvement plan is not indicative that claimant was being forced out of her job.

**DECISION:**

The decision of the representative dated November 18, 2016, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/rvs