

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

LOREN NIHART
Claimant

AMERICAN ORDNANCE LLC
Employer

APPEAL NO. 15A-UI-01484-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 01/11/15
Claimant: Appellant (2)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated January 30, 2015, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on March 2, 2015. 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: As claimant was the only participant in the hearing, all findings of fact are gleaned from claimant's testimony. Claimant last worked for employer on January 8, 2015. On that date claimant chose to end his employment. Claimant gave a two-week notice to employer prior to his quitting.

Claimant chose to end his employment because of the stress related to his job. He was the manager of the heating plant for all buildings. Claimant was on call 24 hours a day and last winter received phone calls throughout the night. Claimant stated that he did not have the necessary employees to do his job properly. He gave his employer many months of advance notice that he could not go through the job with phone calls in the middle of the night without a proper number of assistants and associates. By Thanksgiving claimant didn't have the supervisor job filled above him. As a lack of a union contract created a potential for a work stoppage, claimant stayed on at work.

Employer was dramatically switching around the equipment for the heating plant. Claimant had been hired to operate a plant with steam heat operations. Claimant did not have the appropriate skills necessary to oversee the change in plant operations to a more computer operated model. Employer did not give claimant the education necessary to make the transition easier. As a result, claimant could not run his job smoothly. As a result, claimant tendered his resignation.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because employer had not given claimant the tools, manpower, education, and equipment necessary for claimant to effectively do his job. Claimant's quitting of his employment occurred for good cause attributable to employer.

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.

DECISION:

The decision of the representative dated January 30, 2015, reference 01, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/can