

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEANNA F FINDLAY
Claimant

APPEAL NO. 06A-UI-10994-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

IA DEPT OF NATURAL RESOURCES
Employer

OC: 09/24/06 R: 02
Claimant: Respondent (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Employer filed an appeal from a decision of a representative dated November 8, 2006, reference 01, which held claimant eligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on November 30, 2006. Claimant participated. Employer failed to respond to the hearing notice and did not participate. Exhibit A 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 July 6, 2006. Claimant quit due to an intolerable and detrimental work environment. Coworkers and management did not like claimant. Pressure was put on claimant to quit. Claimant sought medical care. Claimant was advised by her doctor to quit due to work-related stress. The stress was relieved when claimant left the work environment.

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 of an intolerable work environment. This is cause attributable to employer. 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 23.54 provides:

Payment of disputed assessments.

(1) Payment of a disputed assessment is held to be an acquiescence in the assessment only when a timely appeal is not filed.

(2) An employing unit which has appealed a determination of liability, or payment of contributions due, shall file Form 65-5300, Employer's Contribution and Payroll Report, for all quarters for which the employer is held liable regardless of any appeal. Such reports are to be marked by the employer "Appeal Filed" and submitted with full payment of the disputed assessment, without payment or with a payment in the amount estimated to be owed by the employing unit.

DECISION:

The decision of the representative dated November 8, 2006, reference 01, is affirmed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/css