

**BEFORE THE  
EMPLOYMENT APPEAL BOARD  
Lucas State Office Building, 4<sup>TH</sup> Floor  
Des Moines, Iowa 50319  
eab.iowa.gov**

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**SHELBY A JAUREGUI**

Claimant

and

**HARLEY DAVIDSON OF SIOUXLAND INC**

Employer

: **APPEAL NUMBER:** 22B-UI-16448

: **ALJ HEARING NUMBER:** 22A-UI-16448

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: **EMPLOYMENT APPEAL BOARD  
DECISION**

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**NOTICE**

**THIS DECISION BECOMES FINAL** unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT** IS FILED WITHIN **30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

**SECTION:** 96.5-1

**DECISION**

**UNEMPLOYMENT BENEFITS ARE DENIED**

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. With the following modification, the administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED** with the following **MODIFICATION**:

The Board adopts the Administrative Law Judge's findings of fact as its own. The Board adds the following to the Reasoning and Conclusions of law.

A Claimant will not be disqualified for quitting if the Claimant proves "[t]he claimant left due to intolerable or detrimental working conditions." 871 IAC 24.26(4). "[Good cause] encompasses real circumstances, adequate excuses that will bear the test of reason, just grounds for the action, and always the element of good faith." *Wiese v. Iowa Dep't of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986) "[C]ommon sense and prudence must be exercised in evaluating all of the circumstances that lead to an employee's quit in order to attribute the cause for the termination." *Id.* Where multiple reasons for the quit, which are attributable to the employment, are presented the agency must "consider that all the reasons combined may constitute good cause for an employee to quit, if the reasons are attributable to the employer". *McCunn v. EAB*, 451 N.W.2d 510 (Iowa App. 1989)(citing *Taylor v. Iowa Department of Job Service*, 362 N.W.2d 534 (Iowa 1985)).

The Board finds that the Claimant in this case has failed to prove by the greater weight of the evidence the basis for a reasonable belief that the conditions at the Employer were sufficiently detrimental so that a person of ordinary prudence would quit.

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James M. Strohman

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Ashley R. Koopmans

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Myron R. Linn

RRA/fnv