

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

APRIL A REED BERGTHOLD
Claimant

APPEAL NO. 11A-UI-05995-PT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SLB OF IOWA LC
Employer

OC: 03/27/11
Claimant: Appellant (2)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated April 18, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits based upon wage credits from this employer. After due notice, a telephone conference hearing was scheduled for and held on June 1, 2011. Claimant participated with Rachel Rannow as a witness.

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 was employed with the employer from February 20, 2011 through March 2, 2011. This was full-time employment. She voluntarily quit her employment because her manager made insulting and berating remarks about claimant in front of other employees. She reported this to the store owner who dismissed the complaint as being without merit.

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 comments by the supervisor created a hostile work environment for the claimant. This reason is with good cause attributable to the employer. 871 IAC 24.26(4). No disqualification is imposed.

DECISION:

The April 18, 2011, reference 01, decision is reversed. Benefits are allowed, provided claimant is otherwise eligible.

Ron Pohlman
Administrative Law Judge

Decision Dated and Mailed

rrp/pjs