

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LINDA L WELLIVER**  
Claimant

**APPEAL NO. 06A-UI-11100-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PRAXIS COMPANIES LLC**  
Employer

**OC: 06/04/06 R: 03  
Claimant: Respondent (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The employer appealed an unemployment insurance decision dated November 17, 2006, reference 03, that concluded the claimant voluntarily quit employment with good cause attributable to the employer. A telephone hearing was held on December 4, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing. Mel Messer participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full time for the employer as a tub inspector from May 20, 2005, to November 1, 2006. For the past month and a half, the claimant was supervised by Randy Bennett.

The claimant voluntarily quit her employment because Bennett belittled the claimant harshly regarding her work performance on a nearly daily basis, oftentimes in front of coworkers, which caused the claimant humiliation and emotional distress. On November 1, 2006, Bennett set up a video camera in the claimant work area. When the claimant asked what it was for, Bennett stated it was to video her while she worked. Later, Bennett showed a tub with a mold defect that she had not identified. He shook his head and said he could not believe that she missed it. He showed another employee the defect the claimant had missed. After a morning of similar conduct, the claimant told Bennett that if she was not working to his satisfaction that he should disqualify her, which meant she would be determined not capable of doing the job. Bennett replied that she should disqualify herself, which was not possible under the employer's rules. When the claimant replied that she was doing her best, Bennett asked whether it was fair for him to do her job and his and claimed that she could not remember anything. He repeated that she could not remember anything a short time later when he came around again and marked a defect in a tub. The claimant told him that he did not have to talk nasty to her. Bennett told her to stop looking at him and get back to work. All of this took place in the presence of coworkers who believed the claimant was singled out for harsh treatment by Bennett.

The claimant decided she had enough and left the line. Another supervisor asked the claimant where she was going. The claimant responded that she was not going to stay around and put up with Bennett's treatment of her and she was leaving. She then left work and quit.

**REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit employment without good cause attributable to the employer.

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 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

The preponderance of the evidence establishes the claimant quit due to adverse working conditions in the form of unreasonably harsh treatment by a supervisor that was demeaning and humiliating, especially since it was done in front of fellow employees. Good cause to quit employment attributable to the employer has been established.

**DECISION:**

The unemployment insurance decision dated November 17, 2006, reference 03, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs