

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

BREON J SPAULDIN

Claimant

BOONE COUNTY HOSPITAL

Employer

APPEAL NO. 17A-UI-05268-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/16/17

Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated May 8, 2017, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 8, 2017. Claimant participated. Employer participated by Kim Schwartz, Sondra Donald, and Linda Majors. Employer's Exhibits 1-14 were 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 April 2, 2017. Claimant quit effective April 3, 2017. Claimant sent a note to employer notifying said employer of her intention to quit without stating a reason. When claimant filled out her exit interview questionnaire she stated that employer had created a hostile work environment whereby claimant's coworkers no longer chatted pleasantries with claimant after she'd asked for time off to attend her mother's back surgery.

Claimant approached employer on or around February 7, 2017 asking for time off to attend her mother's surgery. Employer was frustrated with this request as two other members of the pharmacy team were going to be absent at the same time. Claimant's supervisor got upset that claimant was not willing to work late the day before she was to leave to attend her mother's surgery. After arguing, the supervisor ended the conversation. The next day the supervisor apologized to claimant stating that she'd been overly lenient to claimant.

Claimant noticed her coworkers were not as friendly to her from that day forward. Claimant complained to human resources that she felt she was being given the proverbial 'cold shoulder' by her associates. The human resources officer contacted claimant's supervisor and arranged a meeting between claimant and her supervisor to clear the air. Claimant declined to participate in this meeting. The supervisor also pulled aside claimant's coworkers to alert them of claimant's concerns and ask that they be sure to treat claimant in an appropriate manner.

Shortly before the date of claimant's quit, claimant had been denied the other half of the tep raise she was to receive on or around the end of March, 2017. In September 2016 claimant went through a job evaluation, and employer determined that claimant would not receive her full raise as she had not been consistent with her attendance. Claimant was asked to improve her attendance and the other half of the raise would be considered in six months. In February of 2017 it was decided that claimant hadn't made sufficient improvements in her attendance to warrant receipt of the other half of the raise. Claimant was informed of this decision six months after the September review date.

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 administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because her relationships with her coworkers. Claimant went to the human resources department, and the HR officer immediately attempted to address the situation by getting the claimant and her supervisor together to hash out concerns. Claimant refused to participate in this meeting. Additionally, claimant's supervisor did take the time to address claimant's coworkers concerning their alleged slights of claimant and to ask that this stop.

Employer did take sufficient steps to address claimant's concerns such that claimant has not established good cause attributable to her employer which led to her quit.

DECISION:

The decision of the representative dated May 8, 2017, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn