

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LAURA Y DENNIS
Claimant

APPEAL NO. 13A-UI-02278-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

KOHL'S
Employer

OC: 12/30/12
Claimant: Appellant (2)

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated February 13, 2013, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on March 25, 2013. The parties were properly notified about the hearing. The claimant participated in the hearing. Kendra Crews 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 from June 2006 through October 2, 2012. She had transferred from the Ankeny, Iowa store to the Topeka, Kansas store in October 2011 and her position at the Topeka store was operations supervisor. Michelle Heck was the store manager.

The claimant quit her employment due to stress created by Heck. The store was disorganized and chaotic due to lack of direction from the store manager. The claimant was often blamed for matters outside her control. For example, there was a time when the claimant was supervising unloading a truck. There were problems with unloading and the truck took longer than normal. Heck was asked by a visiting regional manager if this was a constant problem. Heck told the manager that it was to shift the blame, even though it was not true. Morale in the store was extremely low due to Heck's deficient management. It got to the point where Heck would not even acknowledge the claimant and other employees so the claimant decided to quit.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1 and 96.5-2-a.

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 evidence establishes the claimant left employment due to intolerable and detrimental working conditions. Good cause for leaving employment has been shown.

DECISION:

The unemployment insurance decision dated February 13, 2013, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs