

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JULIE H KAYWOOD
Claimant

APPEAL NO. 09A-UI-11748-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**“KENSINGTON FORT MADISON LLC
“THE KENSINGTON**
Employer

**OC: 07/19/09
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Julie H. Kaywood filed a timely appeal from a representative's decision dated August 13, 2009, reference 01, that denied unemployment insurance benefits based upon her separation from The Kensington. After due notice, a telephone hearing was scheduled for and held on August 31, 2009. The claimant participated personally. The employer participated by Diane Wick and Kris Otte.

ISSUE:

The issue is whether the claimant quit employment with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds: Julie Kaywood was employed as a full-time cook/server for The Kensington from November 13, 2008 until January 2, 2009 when she voluntarily left employment. Ms. Kaywood left employment because of dissatisfaction with her employment for a variety of reasons. The claimant was dissatisfied because other employees had made comments about the return of personal property that had been allegedly misappropriated by the son of a personal friend of the claimant's. The claimant was dissatisfied because elderly residents were demanding. At the time of leaving Ms. Kaywood indicated she was leaving because she could "make more money at her other job." Work continued to be available to the claimant at the time of leaving.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow the administrative law judge concludes the claimant voluntarily left 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.

The evidence in this case indicates that Ms. Kaywood left her employment indicating that she could make more money at other employment. Although the claimant was dissatisfied with comments made by one or more other employees and dissatisfied because at times residents were demanding, these reasons in and of themselves do not rise to the level so as to establish good cause for leaving this employment. Under the circumstances, the comments of other employees were not unreasonable or grounds for quitting employment. Statements at times by disgruntled residents were to be expected due to the nature of the work.

While the claimant's reasons for leaving may have been good from a personal viewpoint, good cause for leaving attributable to the employer has not been established. Benefits are denied.

DECISION:

The representative's decision dated August 13, 2009, reference 01, is affirmed. The claimant voluntarily quit employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided that she is otherwise eligible.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs