

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PATRICIA NICHOLS**  
Claimant

**APPEAL NO: 12A-UI-09253-ET**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ALORICA N SIOUX CITY**  
Employer

**OC: 02-26-12**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the July 31, 2012, reference 04, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on August 27, 2012. The claimant participated in the hearing. The employer did not respond to the hearing notice and did not participate in the hearing or request a postponement of the hearing as required by the hearing notice.

**ISSUE:**

The issue is whether the claimant voluntarily left her employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time agent for Alorica from May 28, 2012 to June 28, 2012. The claimant was training as a customer service agent in a call center to take calls from AT&T customers. On June 27, 2012, the claimant was in her fifth week of training and the trainees were to start taking live calls. They watched other employees taking live calls for a while and the claimant noticed they were very fast. She had told her instructor she was concerned she was not fast enough on the computer to do the job and was told “not to worry, hang in there” and “you’ll get it,” so the claimant kept trying. As the trainees watched the employees taking live calls, the claimant became more nervous because she knew they were expected to start taking live calls that day. The claimant was extremely nervous and anxious and repeatedly told her instructor she was not ready and needed more time and was not required to take a live call until the very end of her shift. She did one live call and the customer hung up on her because she was too slow, but the employer did not reprimand her for her performance. She returned June 28, 2012, and again told her instructor she was not ready and needed more time and was told not to worry and the employer would “help you out.” The trainees were going to be placed on live calls following the 9:00 a.m. break. The claimant “panicked” and “froze” and went home without speaking to the employer, with the intent of quitting her job. The claimant also experienced back pain from sitting while at work and did see her physician, who told her to control her pain with ibuprofen. The claimant’s doctor did not tell her to quit her job.

**REASONING AND CONCLUSIONS OF LAW:**

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

In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2. The claimant was not confident in her keyboarding ability or her capacity to take live calls and quit after completing one live call while still in the midst of her training period. While the claimant's anxiety about taking live calls and her questioning of her ability to do so is understandable, she stated she never could have done the job regardless of the amount of training provided by the employer and consequently decided to quit her job. She was never warned or even talked to about her performance and the employer had continuing work available. While the claimant had good personal reasons for leaving her employment with Alorica, she has not established a good cause reason attributable to the employer for her leaving her employment as required by Iowa law (emphasis added). Therefore, benefits must be denied.

**DECISION:**

The July 31, 2012, reference 04, decision is affirmed. The claimant voluntarily left her employment without good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

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