

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DAVID ESTRADA**  
Claimant

**APPEAL NO. 12A-UI-07208-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ACE INDUSTRIAL**  
Employer

**OC: 10/23/11**  
**Claimant: Appellant (2)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated June 6, 2012, reference 04, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was scheduled for July 12, 2012. The parties were properly notified about the hearing. The claimant did not participate in the hearing but submitted a statement in lieu of participating. No one participated in the hearing on behalf of the employer. Based on the file and the law, the following findings of fact, reasoning and conclusions of law, and decision are entered.

**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 telephone sales representative from March 13 to May 11, 2012.

The claimant voluntarily quit employment with the employer because the employer expected the claimant and other employees to follow a script in selling drill bits to customers that contained several misrepresentations about the drill bits' quality and features, price comparison with other dealers, amount of supply available, feedback from purchasers, free shipping, money-back guarantee, and his personal service including packing the product, putting in a business card, and a return call to the customer. He found the requirements of making such deceptive sales calls intolerable, so he 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.

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 employer created intolerable working conditions based on its sales practices. Good cause for quitting has been shown.

**DECISION:**

The unemployment insurance decision dated June 6, 2012, reference 04, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/kjw