

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SUSAN L SHERIDAN**  
Claimant

**APPEAL NO. 06A-UI-11570-CT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WHITES IOWA INSTITUTE**  
Employer

**OC: 11/05/06 R: 03  
Claimant: Appellant (1)**

Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Susan Sheridan filed an appeal from a representative's decision dated November 29, 2006, reference 01, which denied benefits based on her separation from Whites Iowa Institute. After due notice was issued, a hearing was held by telephone on December 19, 2006. Ms. Sheridan participated personally. The employer participated by Tara Jenson, Director of Administrative Services.

**ISSUE:**

At issue in this matter is whether Ms. Sheridan was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Sheridan was employed by Whites Iowa Institute from March 8, 2005 until November 8, 2006. She was employed full-time as a residential counselor. The employer works with delinquent adolescents age 16 and over who are in the process of aging out of the system. Ms. Sheridan worked primarily in the independent living and transitional housing unit. She quit the employment because she did not like the work environment and felt it posed a safety risk.

Ms. Sheridan did not have any work-related problems until approximately October of 2006. She did not feel that two of the five girls assigned to her cottage at that time should have been placed there, as they were too aggressive. Placement decisions are made by social workers. The two girls who were a problem argued and threatened each other. They also filed grievances concerning each other. Ms. Sheridan's decision to quit was prompted by events that occurred on November 5, 2006.

On November 5, one of the girls assigned to Ms. Sheridan's cottage did not return from church on time and, therefore, the police had to be called to report her as a runaway. She had to call the police a second time when the two aggressive girls got into a physical altercation. Ms. Sheridan was unable to separate the two on her own. She called the police a third time to

report that another girl had run away. Ms. Sheridan made several calls to the on-call staff person but did not request that she come and assist her. There had been no fights in the cottage prior to November 5. None of the girls ever threatened Ms. Sheridan or physically assaulted her. Ms. Sheridan never advised the employer that there were work-related problems that might cause her to quit if not corrected. Continued work would have been available if she had not quit.

**REASONING AND CONCLUSIONS OF LAW:**

Ms. Sheridan voluntarily quit her employment. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Ms. Sheridan indicated that she did not feel safe at work due to the conduct of some of the girls assigned to her cottage. However, the girls never threatened her, either directly or indirectly. She was never the victim of any physical assault by the girls.

The fact that some of the girls in her cottage were too aggressive did not, in and of itself, constitute a safety risk. Given that she was working with juvenile delinquents, it was unreasonable to expect the girls to be polite and well-mannered at all times. The evidence failed to establish that Ms. Sheridan's workplace was unsafe. While she wanted to have two of the girls removed from her cottage, the evidence failed to establish that their continued presence constituted a safety risk. Even on the day the fight occurred, Ms. Sheridan did not feel her safety was at risk, as she never asked the on-call person to come assist her.

For the reasons cited herein, the administrative law judge concludes that Ms. Sheridan's quit was not for good cause attributable to the employer. Accordingly, benefits are denied.

**DECISION:**

The representative's decision dated November 29, 2006, reference 01, is hereby affirmed. Ms. Sheridan voluntarily quit her employment for no 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 job insurance benefit amount, provided she satisfies all other conditions of eligibility.

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Carolyn F. Coleman  
Administrative Law Judge

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Decision Dated and Mailed

cfc/kjw