

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

<b>ELLICE R STAMMEYER</b> Claimant  <b>MANPOWER INTERNATIONAL INC</b> Employer	<div>68-0157 (9-06) - 3091078 - EI</div> <div><b>APPEAL NO. 18A-UI-07378-S1-T</b></div> <div><b>ADMINISTRATIVE LAW JUDGE DECISION</b></div> <div><b>OC: 06/17/18</b> <b>Claimant: Appellant (1)</b></div>
--	---

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Ellice Stammeyer (claimant) appealed a representative's July 3, 2018, decision (reference 01) that concluded she was not eligible to receive unemployment insurance benefits because she voluntarily quit work with Manpower International (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for July 26, 2018. The claimant participated personally. The employer participated by Lori Patterson, Recruiter.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The employer is a temporary employment service. The claimant performed services off and on from October 30, 2017, through January 10, 2018.

Her last assignment was with Prairie Farms where she worked from October 30, 2017, to January 10, 2018, as a full-time production helper in the wrap department. The claimant wanted to rotate jobs with Prairie Farms employees on the hour. When she asked them to trade tasks, the Prairie Farms employees said they liked performing their work and the work she was doing was what newbies did. The claimant talked about the lack of rotation to her supervisor at Prairie Farms. He said he would look into it. On January 9, 2018, she complained to the employer's recruiter that the Prairie Farms employees were targeting her and making her feel like an outsider. The recruiter told the claimant she would speak with the client company.

On January 10, 2018, at 1:30 a.m. the claimant walked off the job because Prairie Farms employees humiliated her when they told her they did not want to rotate jobs with her. Continued work was available had the claimant not resigned.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

Iowa Admin. Code r. 871-24.25(21) provides:

Voluntary quit without good cause. 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. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(21) The claimant left because of dissatisfaction with the work environment.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by her actions. She walked off the job and quit work. When an employee quits work because she is dissatisfied with the work environment, her leaving is without good cause attributable to the employer. The claimant left work because she did not like her work environment. She did not like having to do the same task every day, she did not like that regular employees would not trade with her, and she did not like that the client and the employer did not share her opinion. Her leaving was without good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

#### **DECISION:**

The representative's July 3, 2018, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount provided the claimant is otherwise eligible.

---

Beth A. Scheetz  
Administrative Law Judge

---

Decision Dated and Mailed

bas/rvs