

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JEREMY E BATISTE
Claimant

APPEAL NO. 17A-UI-03480-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ARAMARK CAMPUS LLC
Employer

OC: 03/05/17
Claimant: Appellant (2)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated March 24, 2017, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on April 21, 2017. Claimant participated. Employer participated by William Grumow.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on January 29, 2017. Claimant had put in a two weeks' notice that was to end on February 8, 2017, but claimant stopped showing up for work after his last day actually worked.

Claimant stated that he quit his employment because of his relationship with a manager, and the unprepared temporary workers with whom claimant had to work on a daily basis. Claimant stated that the last, most recent act that led to his quitting was when his manager, who spoke very little English, grabbed claimant by the arm and threatened him with his job if he didn't stop serving other customers and immediately attend to a person who had complained. Claimant was upset and embarrassed by this treatment.

Claimant additionally stated and employer agreed that throughout claimant's time working he was surrounded by inexperienced temporary workers with no food preparation knowledge or desire to properly perform their jobs. Employer has worked to rectify this situation by hiring more actual workers and using fewer temporary workers.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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 administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because he was grabbed and treated disrespectfully by a manager and worked around many people with no experience or knowledge in the field of food service and preparation. Claimant brought his concerns to employer prior to his quitting, but employer was in a difficult situation with few regular employees to do the needed jobs. Claimant's quit was with good cause attributable to employer.

DECISION:

The decision of the representative dated March 24, 2017, reference 01, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/rvs