

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JACQUELINE N PAIGE**

Claimant

**APPEAL NO. 10A-UI-01727-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARGILL MEAT SOLUTIONS CORP**

Employer

**OC: 01/03/10**

**Claimant: Respondent (1)**

Section 96.5-1 – Quit

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from a representative's decision dated January 25, 2010, reference 01, which held claimant eligible to receive unemployment insurance benefits finding the claimant quit under non disqualifying conditions. After due notice, a telephone conference hearing was scheduled for and held on March 15, 2010. The claimant participated personally. The employer participated by Jessica Sheppard, Human Resources Associate.

**ISSUE:**

The issue is whether the claimant quit employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Claimant was employed by this employer from July 8, 2008 until December 29, 2009 when she voluntarily left employment. Ms. Paige worked as a full-time production worker and was paid by the hour.

Ms. Paige left her employment with Cargill Meat Solutions when she reasonably believed that she had been singled out for special scrutiny and criticism by her immediate supervisor. Ms. Paige complained to the facility's superintendent that the supervisor was making fun of the claimant and her son, publicly criticizing the claimant's work, mocking the claimant in the presence of other employees and following the claimant as the claimant performed her duties. Although Ms. Paige had gone to the production manager on numerous occasions to complain about the treatment that her supervisor was giving her, the employer did not end the practice or intervene on behalf of the claimant. When Ms. Paige reasonably concluded that the working conditions would not improve although she had repeatedly gone to management, the claimant relinquished her position with the company. The claimant did not go to the company's Human Resource Department as she reasonably believed that the production manager had the authority to intervene and would do so.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence in the record establishes that the claimant left employment with good cause attributable to the employer. It does.

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.

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 in the record establishes that the claimant reasonably concluded that she had been singled out for special and detrimental treatment by a company supervisor. Ms. Paige followed a reasonable course of action by repeatedly complaining to management about her supervisor's conduct and when no action was taken by the employer after repeated complaints, the claimant left employment due to detrimental or intolerable working conditions. Benefits are allowed, providing the claimant is otherwise eligible.

**DECISION:**

The representative's decision dated January 25, 2010, reference 01, is affirmed. The claimant quit work for reasons attributable to the employer. Unemployment insurance benefits are allowed, provided the claimant meets all other eligibility requirements of Iowa law.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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