

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CHERYL L SANCHEZ**  
Claimant

**APPEAL NO. 10A-UI-13797-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**HILLCREST FAMILY SERVICES**  
Employer

**OC: 09/12/10**  
**Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Cheryl Sanchez, filed an appeal from a decision dated October 1, 2010, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on November 19, 2010. The claimant participated on her own behalf. The employer, Hillcrest Family Services, participated by Vice President of Human Development Julie Heidersheit and DON Sue McDaniel. Exhibit One was admitted into the record.

**ISSUE:**

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

**FINDINGS OF FACT:**

Cheryl Sanchez was employed by Hillcrest from August 9, 2008 until September 10, 2010 as a part-time cook. On September 10, 2010, the claimant approached Administrator Deb Lang, who was in the pantry putting away a shipment. The claimant asked if there was any syrup and Ms. Lang said there was not.

At that point, Ms. Lang asked Ms. Sanchez if she had called the facility the day before to ask another employee, Cheryl Terrell, if there was any further gossip about the kitchen supervisor being fired September 8, 2010. The claimant denied it and said she had only called to find out “how things were going.” At that point, Ms. Lang reminded the claimant that the discharge of the kitchen manager was a very serious matter and everyone should stop talking and gossiping about it until the investigation was completed.

The claimant had been questioned several times about whether she knew anything regarding the issues that eventually led to the supervisor’s discharge. Her statements had been inconsistent with statements given by other staff and residents. She was never accused of any wrongdoing herself.

Ms. Sanchez then went to the office of DON Sue McDaniel and surrendered her keys and badge. When Ms. McDaniel asked her if she was quitting, she at first shrugged, then said she

was not coming back. The employer asked her if she understood she was not being fired and she said she did.

**REASONING AND CONCLUSIONS OF LAW:**

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.

The claimant quit for personal reasons. It is not clear what those personal reasons are. She had been questioned in the course of an investigation about another employee but not accused of anything herself. She had been issued a disciplinary action on September 8, 2010, but her job was not in jeopardy, she was on a 90-day probation period and nothing would have been decided until the end of that time.

The claimant appears to have been upset and threatened by the firing of the kitchen manager. She felt she was being harassed by Ms. Lang, but the administrator was only performing her job duties by investigating allegations of misconduct by the kitchen supervisor and performing her regular duties to monitor the day-to-day operation of the facility.

The record establishes the claimant did not have good cause attributable to the employer for quitting and she is disqualified.

**DECISION:**

The representative's decision of October 1, 2010, reference 01, is affirmed. Cheryl Sanchez is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw