

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

Appeal Number: 04A-UI-01954-LT
OC 09-21-03 R 02
Claimant: Appellant (1)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

REBECCA A SIEMS-ANDERSON
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STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

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YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

Claimant filed a timely appeal from the February 19, 2004, reference 01, decision that denied benefits. After due notice was issued, a hearing was held on March 18, 2004. Claimant did participate. Employer did participate through Susanne Schwengels.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed as a full-time administrative assistant from October 14, 2003 through December 31, 2003 when she quit. In early December 2003 claimant and Susanne Schwengels, Executive VP, had a meeting about changes that needed to be made to claimant's job to make her happy and conform to the job duties. Claimant did not like Susanne

Schwengels' supervision and did not think her job performance was up to employer's expectation but was not advised her that her job was jeopardy for any reason. Claimant felt tension with Schwengels and decided resignation was the best thing to alleviate that tension. She also advised employer that she did not like the accounting duties of the job and gave her separation notice during that meeting. The day after the meeting and resignation notice, claimant reported to work and expressed her happiness at her decision to resign. Continued work was available.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer.

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 24.25(21) provides:

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

871 IAC 24.25(22) provides:

(22) The claimant left because of a personality conflict with the supervisor.

The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code Section 96.6-2 (amended 1998).

The claimant's inability to work with her supervisor and her dissatisfaction with the work environment and the job duties known at the time of hire were not good-cause reasons attributable to the employer for leaving. Benefits are denied.

DECISION:

The February 19, 2004, reference 01, decision is affirmed. The claimant voluntarily left her employment without 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 benefit amount, provided she is otherwise eligible.

dml/b