

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TY N HINDT
Claimant

KOOIMA LAKE SERVICE INC
Employer

APPEAL NO. 14A-UI-08070-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 12/08/13
Claimant: Appellant (1)

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated July 30, 2024, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 26, 2014. Claimant participated. Employer participated by David Stein Jr., Attorney and Kevin Kooima.

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 July 2, 2014. Claimant chose to separate from the job on July 2, 2014. The separation was brought about by claimant being in an argument with employer about treating other employees with respect.

Claimant was frustrated about the fact that his pay had moved years ago from a concrete wage to a wage plus a bonus and then back to a concrete wage. Claimant was also frustrated about his being strongly encouraged to enter into a 401k retirement plan. The 401k plan was then ended by employer. Claimant was allowed to live rent-free in a house owned by employer. Claimant paid utilities and taxes on the residence. Claimant was not happy with his expenditures on this, and found the house not kept at a level of repair he would prefer.

Claimant had struggles with his coworkers, with the employer, and with the employer's wife. Claimant argued with each of these people, and at times these arguments became heated.

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.

Iowa Admin. Code r. 871-24.25(21) and (22) provide:

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 § 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 § 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.

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

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because of frustrations with work. Although claimant has given generalized statements as to his frustrations, he has not been able to give specifics as to the ongoing problems that lead to his decision to quit his employment. Each of the attempts at specifics amounts to little more than ongoing squabbles in a closely held company that are to be expected.

DECISION:

The decision of the representative dated July 30, 2014, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/css