

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

ROBIN K HACHEY
Claimant

APPEAL NO: 18A-UI-00211-JE-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

DELTA DELTA DELTA SORORITY/PHI
Employer

OC: 12/17/17
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the January 3, 2018, reference 01, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on January 25, 2018. The claimant participated in the hearing. Chelsea Roberts, Human Resources Associate and Andrea Munn, Account Manager, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant voluntarily left her employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time house director for Delta Delta Delta Sorority/Phi from January 15, 2014 to December 14, 2017. She voluntarily left her employment following an investigation into the house's finances.

The employer became aware of financial concerns regarding the sorority house and on December 14, 2017, a member of the executive office staff flew to Iowa to conduct an investigation. The claimant did not know the investigator was coming and was upset she was not notified prior to the visit. The investigator showed the claimant the financial items in question and told her it would be interviewing her and the collegiate financial officer and that the investigation would last approximately two days. After the investigator left for the day, the claimant sent the employer a text message stating she felt the financial irregularities were a misunderstanding, she felt she was being suspected of wrongdoing, and the employer should have called her instead of showing up and "accusing" her of financial irregularities. The claimant then stated she was resigning effective immediately. The employer did find a misappropriation of funds in the amount of \$1,731.16 made with chapter funds or the house credit card.

The claimant testified she resigned because she was having to act as the house manager, head chef and assistant cook since October 2017, and had asked to be compensated for the other two roles but the employer declined to pay her additional money. The claimant was responsible

for hiring those positions but stated she hired two or three assistant cooks but they all quit. She last complained to the employer in an email dated October 16, 2017. She was frustrated and felt the investigation was accusatory in nature.

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 § 96.5-1 provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). 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.

The claimant had been working as house manager, head chef and assistant cook for several months but did not voluntarily quit her job until the employer sent an investigator to look into financial irregularities. While the claimant denies she quit in response to the investigation, the timing is too coincidental to reasonably believe she did not quit because the employer was questioning financial problems with the house that were the claimant's responsibility. Under these circumstances, the administrative law judge must conclude the claimant has not demonstrated that her leaving was for good cause attributable to the employer as that term is defined by Iowa law rather because of a dissatisfaction with the work environment. Therefore, benefits must be denied.

DECISION:

The January 3, 2018, 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.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/scn