

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**PAMELA M MITCHELL**  
Claimant

**SMITHFIELD PACKAGED MEATS CORP**  
Employer

**APPEAL NO. 19A-UI-05533-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/16/19**  
**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 9, 2019, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on August 5, 2019. Claimant participated. Employer participated by Mark Lacroix.

**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 June 19, 2019. Claimant voluntarily quit on that date after growing frustrated with her superior human resources manager.

Claimant worked in human resources for employer. One of her duties in her role was documenting and following FMLA claims. Claimant stated that she had a problem with her boss and his desire to implement the same FMLA cataloging procedures as used in other production facilities.

Claimant stated that her facility had used a different procedure for documenting FMLA cases for years. When her new manager came into his position, claimant was informed that this facility would use the same Excel spreadsheet as used in all other facilities to track FMLA and short term disabilities. Claimant was not happy with this and was not happy with the need to move to a different method when the other method had worked for years. This dispute between claimant and her manager went on for months.

On June 19, 2019 claimant and employer were once again disputing the need for the implementation of the Excel spreadsheet. Voices were raised by both parties and claimant felt the need to shut the door to the room where the two were talking. Employer insisted that he would be the person to take the blame if there were errors in the implementation of the new form. Claimant was worried that she would be held to blame by either higher management or

by government authorities if matters weren't handled correctly. After leaving the room, claimant created and submitted her letter of resignation.

Claimant stated that other than this Excel issue, she got along well with her new manager. She also stated that she'd brought forth other racially –related issues to management. Employer stated that there were no issues regarding allegedly improper treatment because of race mentioned by claimant until after she quit.

At the time of her quit, claimant had ongoing work available to her.

## **REASONING AND CONCLUSIONS OF LAW:**

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.

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 she had an ongoing dispute with her manager concerning the implementation of the Excel spreadsheet used to document FMLA information.

Ordinarily “good cause” is derived from the facts of each case keeping in mind the public policy stated in Iowa Code Section 96.2. *O'Brien v. EAB* 494 N.W.2d 660, 662 (Iowa 1993) (citing *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986)). “The term encompasses real circumstances, adequate excuses that will bear the test of reason, just grounds for the action, and always the test of good faith.” *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986). “Common sense and prudence must be exercised in evaluating all of the circumstances that led to an employee's quit in order to attribute the cause for the termination.” *Id.* Here, it is hard to see that claimant's quit was not caused by ongoing dispute she had with her manager regarding the use of the spreadsheet to document FMLA information. It is understood that this change might have been difficult and might have needed extra efforts to effectuate, but claimant's job is to do those things ordered of her, rather or not she agrees with management decisions. Claimant has every right to quit rather than go along with the decision, but said quit is not with good cause attributable to employer.

Claimant gave other reasons for her quit, but did not show that employer was alerted about any of these concerns prior to her quit.

**DECISION:**

The decision of the representative dated July 9, 2019, 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.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

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