

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RONDA R WARREN**  
Claimant

**APPEAL NO. 09A-UI-06955-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SAC & FOX TRIBE**  
Employer

**Original Claim: 03/29/09  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Ronda Warren filed a timely appeal from a representative's decision dated April 27, 2009, reference 01, that denied unemployment insurance benefits. After due notice was issued, a telephone conference hearing was scheduled for and held on June 1, 2009. The claimant participated personally. The employer participated by Mr. Brian Ehrig, executive chef, and Ms. Patti Bulk, executive sous chef.

**ISSUE:**

The issue is whether the claimant had good cause attributable to the employer for leaving this employment.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony of the witnesses and having considered the evidence in the record, finds: The claimant was employed by Meskwaki Bingo Casino & Hotel from February 6, 2000, until April 1, 2009, when she voluntarily left her employment without advance notice. Ms. Warren was employed as a full-time break room attendant/cashier and was paid by the hour. Her immediate supervisors were Brian Ehrig and Patti Bulk.

The claimant left her employment due to dissatisfaction with work directives that had been given to her by the casino's sous chef. The sous chef had been instructed by the executive sous chef to make sure that certain requirements were fulfilled by casino employees. The sous chef therefore instructed each employee to make sure that routine tasks had been followed. The claimant disagreed with the instructions that were given to her by the sous chef, as she had been performing those duties and felt that she need not be reminded.

Ms. Warren was also dissatisfied because she had been given a mild reprimand for non-serious violations of company policies. Work continued to be available to the claimant at the time of her leaving and her job was not in jeopardy. Prior to leaving, the claimant did not indicate her areas of dissatisfaction to management and did not give the employer an opportunity to remedy any areas of dissatisfaction before she quit her job.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes good cause attributable to the employer for quitting employment. It does not.

The evidence in the record establishes that the sous chef was following work directives that had been given by the sous chef's immediate supervisor. The sous chef was required to remind all employees to follow routine procedures. Ms. Warren felt that the instructions given to her were demeaning and unnecessary, as she personally had been following required work procedures and felt that she did not need to be reminded. Prior to leaving employment, the claimant did not bring her dissatisfaction to the attention of company management, and company management was therefore precluded from making any changes that would have allowed the claimant to have continued to employment. The Supreme Court of Iowa, in Suluki v. Employment Appeal Board, 503 N.W.2d 402, 405 (Iowa 1993), held that an employee is required to give notice to an employer of intent to quit and to give the employer an opportunity to cure working conditions. While Ms. Warren's reasons for leaving were undoubtedly good from her personal viewpoint, they do not establish good cause attributable to the employer. Unemployment insurance benefits are thus withheld.

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.

**DECISION:**

The representative's decision dated April 27, 2009, reference 01, is affirmed. The claimant voluntarily quit employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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