

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MELISSA L ROZENDAAL
Claimant

APPEAL 15A-UI-00147-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BROOKWOOD INC
Employer

OC: 12/07/14
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

The claimant filed an appeal from the December 31, 2014 (reference 02) unemployment insurance decision that denied benefits based upon the claimant's separation. The parties were properly notified about the hearing. A telephone hearing was held on January 29, 2015. The claimant participated. The employer participated through Ernest Wood, owner.

ISSUE:

Did the claimant voluntarily quit her job 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 full time as a secretary and was separated from employment on December 3, 2014 when she resigned without notice. Continuing work was available.

The claimant resigned in an email to Mr. Wood, citing a restrictive environment. Her manager, Mr. Wood, had confronted her in mid-November about billing and falling behind. He commented to her "just wait until it gets below zero; it will get busier" which the claimant did not find supportive. The claimant cited to Mr. Wood inquiring about people's appearances when applying for work. Mr. Wood would ask her to identify their appearance in terms of cleanliness because workers would have to enter the homes of customers.

Prior to Thanksgiving, when discussing the billing, he raised his voice at her asking "who will do the billing if no one is in the office?" Just before she resigned, Mr. Wood had a discussion with Connie, the office manager, which the claimant observed, about customer complaints. He said to Connie that she (the claimant), "didn't want to hear me bitch about them." The claimant resigned shortly after this incident, without notice.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

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(22) provides:

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 section 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 section 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:

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

Personality conflicts do sometimes arise in the workplace but are not good cause to quit employment. No compelling evidence was offered that Mr. Wood's conduct created an intolerable workplace to a degree that a reasonable person would resign without notice. The claimant did not find Mr. Wood to be supportive and Mr. Wood, as the owner, had an interest in making sure billing and other administrative matters were handled and had to sometimes confront the claimant about the status of these matters. The claimant's decision to quit because she did not agree with the supervisor about various issues was not for a good cause reason attributable to the employer. Benefits are denied.

DECISION:

The December 31, 2014 (reference 02) unemployment insurance decision is affirmed. The claimant voluntarily left the 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.

Jennifer L. Coe
Administrative Law Judge

Decision Dated and Mailed

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