

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HAZIM KAJTAZOVIC
Claimant

APPEAL NO. 12A-UI-05748-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BEEF PRODUCTS INC
Employer

OC: 12/18/11
Claimant: Respondent (2)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Beef Products, Inc. filed a timely appeal from an unemployment insurance decision dated May 9, 2012, reference 02, that allowed benefits to Hazim Kajtazovic. After due notice was issued, a telephone hearing was held July 11, 2012 with Jennifer Stubbs participating for the employer. Exhibit One was admitted into evidence. Mr. Kajtazovic did not provide a telephone number at which he could be contacted. The administrative law judge takes official notice of agency benefit payment records.

ISSUE:

Did the claimant leave work with good cause attributable to the employer?

FINDINGS OF FACT:

Hazim Kajtazovic was employed by Beef Products, Inc. from September 21, 2010 until he resigned March 12, 2012 saying that he had been treated unfairly by the company. He did not elaborate. The employer had and has no information indicating that Mr. Kajtazovic was treated unfairly or that he had complained prior to resigning. He has not requested or received unemployment insurance benefits since this separation.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence establishes that the claimant left work with good cause attributable to the employer. It does not.

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.

The claimant has the burden of proof. See Iowa Code section 96.6-2. As noted above, the claimant did not participate. The only evidence in the record is the testimony and documentary evidence of the employer. While an individual may receive unemployment insurance benefits if the individual resigned because of intolerable or detrimental working conditions, an individual is disqualified for benefits if the individual has resigned because of general dissatisfaction with the work environment or because of a personality conflict with a supervisor. See 871 IAC 24.26(4) and 871 IAC 24.25(21) and (22) respectively. The evidence does not persuade the administrative law judge that working conditions were intolerable or detrimental. Benefits are withheld.

DECISION:

The unemployment insurance decision dated May 9, 2012, reference 02, is reversed. Benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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