

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HEATHER J COYLE**  
Claimant

**APPEAL NO. 11A-UI-06164-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS ENTERPRISES INC**  
Employer

**OC: 12/26/10**  
**Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Heather Coyle, filed an appeal from a decision dated April 28, 2011, reference 01. The decision disqualified her from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on June 8, 2011. The claimant participated on her own behalf. The employer, Wells Enterprises, participated by Human Resources Business Partner Courtney Wilson, Production Supervisors Dan Ahrendsen and Chris Alter and was represented by TALX in the person of Diana Perry-Lehr

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Heather Coyle was employed by Wells Enterprises from December 6, 1998 until April 7, 2011 as a full-time production worker. On April 7, 2011, Ms. Coyle met with Human Resources Business Partner Courtney Wilson and Production Supervisors Dan Ahrendsen and Chris Alter to be issued a reprimand for “inappropriate behavior.” This was not a final warning but the second step in a four-step progressive disciplinary procedure. Ms. Coyle disagreed with the warning and elected to resign effective immediately.

**REASONING AND CONCLUSIONS OF LAW:**

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.

871 IAC 24.25(28) 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 § 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 § 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:

(28) The claimant left after being reprimanded.

The claimant quit because she was being reprimanded. Under the provisions of the above Administrative Code section, this is a voluntary quit without good cause attributable to the employer.

Ms. Coyle also maintained she quit because the human resources person told her certain things were not her job, but acknowledged the production supervisors supported her and informed the human resources person these things did constitute her job duties. She had the support of her supervisors who were willing to correct a mistake by management and the administrative law judge does not believe this to constitute harassment or a hostile work environment.

In addition, the claimant maintained she was "in pain" from a previous injury in 2007 and a current one which she had not reported. At the time she resigned Ms. Coyle did not have any current restrictions from her doctor because she elected not to do so. In order for good cause attributable to the employer to exist, a claimant must make some effort to give the employer an opportunity to work out whatever problem led to the grievance. By not giving notice to the employer of the circumstances causing the decision to quit employment, the claimant failed to give the employer an opportunity to make adjustments which would alleviate the need to quit. *Denby v. Board of Review*, 567 P.2d 626 (Utah 1977).

The record establishes the claimant did not have good cause attributable to the employer and she is disqualified.

**DECISION:**

The representative's decision of April 28, 2011, reference 01, is affirmed. Heather Coyle is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs

