

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**GENNIFER R GREENFIELD**  
Claimant

**WINNEBAGO INDUSTRIES**  
Employer

**APPEAL NO. 19A-UI-07425-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 08/18/19**  
**Claimant: Appellant (1)**

Iowa Code Section 96.5(1) – Voluntary Quit

**STATEMENT OF THE CASE:**

Gennifer Greenfield filed a timely appeal from the September 9, 2019, reference 01, decision that held she was disqualified for benefits and the employer's account would not be charged for benefits, based on the deputy's conclusion that Ms. Greenfield voluntarily quit on August 21, 2019 without good cause attributable to the employer. After due notice was issued, a hearing was held on October 10, 2019. Ms. Greenfield participated. Susan Gardner represented the employer and presented additional testimony through Bob Rogstad. Exhibits 1, A and B were received into evidence.

**ISSUE:**

Whether the claimant's voluntary quit was for good cause attributable to the employer.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Gennifer Greenfield was employed by Winnebago Industries as a full-time Production Assembler from 2017 until August 21, 2019, when she voluntarily quit. From March 2019 onward Ms. Greenfield "floated" from one production area to another dependent on business needs. The employer and Ms. Greenfield entered into this floating arrangement due to Ms. Greenfield's well-developed skill set. Ms. Greenfield agreed with the arrangement. Ms. Greenfield had preferred production areas, but her assistance was not always needed in those areas. On August 15, 2019, Ms. Greenfield completed a written resignation form and placed it on her supervisor's desk. Ms. Greenfield stated in the form that her last day in the employment would be August 30, 2019.

On the resignation form, Ms. Greenfield referenced "upper management" as the basis for her decision to leave the employment. Ms. Greenfield's supervisor, Production Supervisor Bob Rogstad, treated Ms. Greenfield's resignation form as a bona fide quit notice and forwarded the form to the employer's human resources office. Ms. Greenfield's decision to quit the employment followed multiple instances when she attempted to "float" to the cabinet production area at times when her assistance was not needed in that area. Ms. Greenfield was displeased when the supervisor in the cabinet area contacted Mr. Rogstad so that she could be directed to the production areas where she was needed. On August 20, 2019, Ms. Greenfield requested to

withdraw her resignation. The employer's practice was to not allow employees to rescind quit notices. On August 21, 2019, Mr. Rogstad notified Ms. Greenfield that the employer would not approve rescission of the quit notice. Later during that shift, Ms. Greenfield clocked out and walked off the job prior to the end of her shift. Ms. Greenfield did not return.

Ms. Greenfield belatedly asserts purported employee marijuana use in the employer's parking lot as one of her concerns during the employment. Ms. Greenfield did not bring any such concern to the employers' attention during the employment.

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

Iowa Code section 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.

In general, a voluntary quit requires evidence of an intention to sever the employment relationship and an overt act carrying out that intention. See *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 698, 612 (Iowa 1980) and *Peck v. EAB*, 492 N.W.2d 438 (Iowa App. 1992). 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. See 871 IAC 24.25.

Quits due to intolerable or detrimental working conditions are deemed to be for good cause attributable to the employer. See Iowa Administrative Code rule 871-24.26(4). The test is whether a reasonable person would have quit under the circumstances. See *Aalbers v. Iowa Department of Job Service*, 431 N.W.2d 330 (Iowa 1988) and *O'Brien v. Employment Appeal Bd.*, 494 N.W.2d 660 (1993). Aside from quits based on medical reasons, prior notification of the employer before a resignation for intolerable or detrimental working conditions is not required. See *Hy-Vee v. EAB*, 710 N.W.2d 213 (Iowa 2005).

Iowa Admin. Code r. 871-24.25(21) and (37) 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:

(21) The claimant left because of dissatisfaction with the work environment.

...

(37) The claimant will be considered to have left employment voluntarily when such claimant gave the employer notice of an intention to resign and the employer accepted such resignation.

The evidence in the record establishes an August 21, 2019 voluntary quit that was without good cause attributable to the employer. On August 15, 2019, Ms. Greenfield gave the employer notice of her intention to resign from the employment effective August 30, 2019 and the employer accepted the resignation. The employer was under no obligation to allow Ms. Greenfield to rescind her quit notice. Ms. Greenfield's decision to resign was not based on intolerable and/or detrimental working conditions that would have prompted a reasonable person to leave the employment. Rather, Ms. Greenfield decided to quit the employment because she was not allowed to work in the cabinet area when she was not needed in that area. Ms. Greenfield's quit amounted to a quit due to dissatisfaction with the work environment. The weight of the evidence indicates that the purported coworker marijuana use, if it occurred, was not a factor in Ms. Greenfield's decision to leave the employment. Ms. Greenfield elected to move her effective quit date up to August 21, 2019. Ms. Greenfield is disqualified for benefits until she has worked in and been paid wages for insured work equal to 10 times her weekly benefit amount. Ms. Greenfield must meet all other eligibility requirements. The employer's account shall not be charged for benefits.

**DECISION:**

The September 9, 2019, reference 01, decision is affirmed. The claimant voluntarily quit the employment on August 21, 2019 without good cause attributable to the employer. The claimant is disqualified for benefits until she has worked in and been paid wages for insured work equal to 10 times her weekly benefit amount. The claimant must meet all other eligibility requirements. The employer's account shall not be charged for benefits.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/scn