

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEAN A CLOSE

Claimant

APPEAL NO. 10A-UI-05753-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CASS COUNTY PUBLISHING CO INC

Employer

OC: 02/28/10

Claimant: Appellant (1)

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Dean Close, filed an appeal from a decision dated April 6, 2010, reference 01. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 27, 2010. The claimant participated on his own behalf. The employer, Cass County Publishing (CCP), did not provide a telephone number where a witness could be contacted and did not participate.

ISSUE:

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

FINDINGS OF FACT:

Dean Close was employed by CCP from March 1 through 9, 2010, as a full-time news editor. He had been working for The Vinton Eagle from November 2008 until it was sold. The sale was announced by Co-Owner Scott Hanson at a staff meeting the evening of March 1, 2010. He said time and money constraints had made it difficult for him to continue operating The Vinton Eagle. At that same meeting representatives from CCP passed out applications to all the staff who wanted to continue working for the new owners and Mr. Close filled out the application and submitted it that evening.

He continued working for about a week then left a note for the new manager stating he was no longer interested in working for CCP. He was concerned because he had worked for CCP from 2003 until 2008 and had had difficulty with the Manager Editor Amelia Dimikatrova over differences of opinion in policy and “philosophy.” In addition, he had been “offended” when a representative from CCP had told him to answer any questions about the sale by saying the owners of The Vinton Eagle thought CCP could do a better job running the newspaper.

REASONING AND CONCLUSIONS OF LAW:

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 worked for CCP for only one week before deciding to quit. This was based on experiences he had had with the managing editor two years prior. No new problems had come about since the sale of the business. If he had had any concerns about his relationship with the managing editor, he did not have to apply for a job with CCP after the sale, but chose to do so. The fact he may have reconsidered that decision does not constitute good cause attributable to the employer.

His "offense" at being told how to answer questions about the sale was based on the fact he apparently believed this to be an untruth. But the administrative law judge does not see how the statement that the sale was made because the previous owners considered the new owners would do a better job running the paper is inconsistent with the prior owner saying that time and money constraints had made it difficult for him to run the paper effectively.

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

DECISION:

The representative's decision of April 6, 2010, reference 01, is affirmed. Dean Close is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount, provided he is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/css