

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DANIEL CORONA-BARAJAS
Claimant

APPEAL NO. 07A-UI-08187-MT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRAMER & ASSOCIATES INC
Employer

**OC: 12/10/06 R: 01
Claimant: Appellant (2)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated August 20, 2007, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on September 12, 2007. Claimant participated. Employer failed to respond to the hearing notice and did not participate.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on July 16, 2007. Claimant was upset with his supervisor. Claimant lodged a complaint about the supervisor due to harassment. The employer did nothing about the harassment. Claimant was told to look elsewhere for a job. Claimant assumed that he was being let go based on the statement to look elsewhere for a job. Claimant was then laid off. Claimant also complained that he was not paid for his hours worked.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has established that claimant voluntarily quit for good cause attributable to employer when employer terminated the employment relationship because claimant was complaining about working conditions and not receiving pay for hours worked. This is a layoff by employer due to legitimate complaints made by claimant. This is a quit for cause attributable to employer. Benefits allowed.

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.

DECISION:

The decision of the representative dated August 20, 2007, reference 02, is reversed. Unemployment insurance benefits are allowed, provided claimant is otherwise eligible.

Marlon Mormann
Administrative Law Judge

Decision Dated and Mailed

mdm/css