

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

GREG A RAINEY
Claimant

EQUIFAX INC
Employer

APPEAL 22A-UI-01256-AR-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/09/21
Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quitting

STATEMENT OF THE CASE:

The claimant, Greg A. Rainey, filed an appeal from the December 1, 2021, (reference 02) unemployment insurance decision that denied benefits based upon the determination that claimant voluntarily quit employment because he was dissatisfied with the work environment. The parties were properly notified of the hearing. A telephone hearing was held on February 4, 2022. The claimant participated personally. The employer, Equifax, Inc., did not participate.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full time as a customer service representative from August 23, 2021, until this employment ended on September 24, 2021, when he resigned.

Throughout the time claimant was employed with this employer, he was in training. He was being trained by two people—Ike and George. The trainers each had different philosophies on training, and claimant found this to be frustrating. Ike told claimant that he did not like when claimant took notes during training. This puzzled and upset claimant because he felt taking notes was a good method for retaining information. Ike seemed to feel that taking notes caused claimant to be inattentive to training. Additionally, on one occasion, Ike raised his voice to claimant in front of others. Claimant found this to be embarrassing.

On September 24, 2021, claimant took a quiz as part of his training. George told claimant he had only missed three of the 15 questions. Ike later told claimant he had missed six questions. Claimant asked to speak with his supervisor, Jennifer Weir. He expressed his concerns about training and told Weir about the incident in which Ike raised his voice to claimant. He also asked why he was being given different information by the two different trainers, as with the quiz he took earlier that day. Ike joined the meeting uninvited at one point and told claimant that he would administer another quiz the following Monday. He told claimant he would “throw [him] some curveballs” in the next quiz. Claimant felt that Ike would not allow him to pass the quiz.

Passing the quiz was not a requirement for continued employment. Claimant did not get the impression that Weir was taking his concerns seriously after this meeting.

Later in the evening on September 24, 2021, claimant called Weir and informed her that he would resign, effective immediately. He intended to pursue other opportunities through a temporary employment agency with which he had worked in the past. Weir told claimant to bring in his equipment, which he did.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

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.

Iowa Admin. Code r. 871—24.25(21) 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.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). "Good cause" for leaving employment must be that which is reasonable to the average person, not the overly sensitive individual or the claimant in particular. *Uniweld Products v. Indus. Relations Comm'n*, 277 So.2d 827 (Fla. Dist. Ct. App. 1973). A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980).

Claimant has not established that his resignation was due to good cause attributable to the employer. He alleges he took issue with the training method and the way in which one of his trainings interacted with him, but he has not established that he was subjected to unlawful, unsafe, or otherwise detrimental working conditions, as is his burden. While claimant's leaving may have been based upon good personal reasons, it was not for a good-cause reason attributable to the employer according to Iowa law. Benefits are denied.

DECISION:

The December 1, 2021, (reference 02) unemployment insurance decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.



Alexis D. Rowe
Administrative Law Judge

February 24, 2022
Decision Dated and Mailed

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