

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RAELINN L RITZE
Claimant

APPEAL NO: 13A-UI-04590-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

AIR METHODS CORP
Employer

OC: 03/17/13
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit
871 IAC 24.25(21) – Job Change

STATEMENT OF THE CASE:

The claimant appealed a department decision dated April 10, 2013, reference 01, that held she voluntarily quit employment without good cause attributable to the employer on March 9, 2013, and benefits are denied. A telephone hearing was held on May 28, 2013. The claimant participated. Amy Lewis, Representative; Josh Gloyd, Operations Supervisor; Tiesha, QA Supervisor; and Caeli Feller, Operations Manager participated for the employer.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge having heard the witness testimony and having considered the evidence in the record, finds: The claimant began work for the employer on October 1, 2012 as a full-time patient transfer coordinator, and last worked on March 9, 2013. Claimant submitted an instant message to manager Feller on March 5 that she was quitting March 19. Claimant chose to leave after working March 10. She offered no written reason for quitting.

When claimant began employment she commuted from her residence in Carter Lake, Iowa to the employer business location in Council Bluffs. The commute is about a 25 minute drive or about 15 to 18 miles.

Prior to quitting claimant did not complain she was thinking about quitting due to a hostile work environment, lack of breaks, and/or HIPPA violations. The employer moved to a new business location on April 15 that is about 14 miles from its prior location. Claimant did not raise this as an issue for leaving.

Claimant focused on ill treatment from a trainer during the earlier period of her employment as a reason for quitting. The employer resolved this matter and claimant continued work. Claimant started looking for another job in November. Claimant raised some work place issues that were

addressed by the employer. She did not advise the employer she was experiencing a hostile work environment to the point she was thinking of quitting.

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.

871 IAC 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.

The administrative law judge concludes claimant voluntarily quit without good cause attributable to the employer on March 10, 2013 due to dissatisfaction with the work environment.

All of the numerous reasons claimant offered in this matter were considered as to whether any one reason might be considered as a good cause for quitting. While claimant did experience some unpleasant work place issues, none of them rise to the level of a hostile work environment. She emphasized a difficult work relationship with a trainer during an early period of employment, but the employer resolved this matter. Claimant was so unhappy with her work she started looking for another job in November yet she continued employment.

The employer did move its business location on April 15. If this was a moving reason for quitting, claimant could have continued her employment until that date yet she chose to leave on March 10.

DECISION:

The department decision dated April 10, 2013, reference 01, is affirmed. Claimant voluntarily quit without good cause on March 10, 2013.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/tll