

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**KELLY M EEKHOFF**  
Claimant

**DUNCAN HEIGHTS INC**  
Employer

**APPEAL NO. 21A-UI-06019-B2-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 12/27/20  
Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated February 16, 2021, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on May 3, 2021. Claimant participated. Employer participated by Heidi Hansen, Miranda Cink, Gina Francis, Sharon Stromer, and Monica Abbas. Employer's exhibits 1-6 and claimant's A-C were admitted into evidence.

**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 December 18, 2020. Claimant voluntarily quit her job effective on December 25, 2020. Claimant worked as a scheduling coordinator and office assistant. Claimant voluntarily quit her job on December 25, 2020.

Claimant stated that she put in her notice to quit because she was overwhelmed with the scheduling aspect of her job. Claimant worked as a scheduler and also as an office assistant for employer. Throughout 2020 claimant believed her tasks were increased because many people were off from work and claimant would have to fill in the gaps in scheduling created when those people weren't at work. The added work for claimant made it difficult for her to keep up with her other tasks that were a part of her job duties.

Claimant spoke with employer on November 10, 2020 about possibly moving into another person's job. Employer declined this and told claimant that she just needed to focus on doing her job. Claimant became more frustrated after that point, and felt she was being treated even more coldly after the discussion. Claimant put in her notice to quit on November 30, 2020.

Employer stated that claimant often was found doing things not associated with her job during working hours. Claimant spent time on social media during the work day and would post selfies while at work.

There was ongoing work available for claimant had she not quit her job.

**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.

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because she was overwhelmed with her job pressures and duties.

Ordinarily "good cause" is derived from the facts of each case keeping in mind the public policy stated in Iowa Code Section 96.2. *O'Brien v. EAB* 494 N.W.2d 660, 662 (Iowa 1993) (citing *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986)). "The term encompasses real circumstances, adequate excuses that will bear the test of reason, just grounds for the action, and always the test of good faith." *Wiese v. IA Dept. of Job Serv.*, 389 N.W.2d 676, 680 (Iowa 1986). "Common sense and prudence must be exercised in evaluating all of the circumstances that led to an employee's quit in order to attribute the cause for the termination." *Id.* Here, claimant's quit was brought about by a higher percentage of people calling off work than they had done historically. This would put pressure on claimant to fill in for the people. But this was simply a part of her job duties. Whether no one was sick, or the entire staff called off from work, claimant still had to do her job.

The administrative law judge additionally finds that employer's statement – if it even occurred – that claimant needed to suck it up and put her big girl panties on, was not enough in and of itself to give claimant a good cause reason to quit that would be attributable to employer.

**DECISION:**

The decision of the representative dated February 16, 2021, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.



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Blair A. Bennett  
Administrative Law Judge

May 11, 2021  
Decision Dated and Mailed

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