

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MICHAEL R FAWCETT
Claimant

BROWNELLS INCORPORATED
Employer

APPEAL NO. 17A-UI-06019-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/14/17
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated June 6, 2017, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on June 27, 2017. Claimant participated and had witness Cindy McCallister. Employer participated by Fernando Rosas and Curt Graff. Employer's Exhibits 1-6 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 April 28, 2017. Claimant voluntarily quit by sending an email to employer on April 28, 2017. Claimant stated in his email that he was uncomfortable with office politics, unhappy about a computer breach which allowed an outside entity to have personal information of all employees, and had medical problems which led to his quit.

Claimant worked as a help desk technician for employer helping coworkers with computer problems from the help desk and by going to people's computers to figure out the problems. Claimant went to employer with problems he had with his supervisor who, by claimant's and a coworker's account, was out to get claimant.

Employer met with claimant to discuss his concerns. Prior to claimant's quit, claimant was moved to a smaller facility closer to his home in order to make claimant's travel and walking easier. Claimant brought in a doctor's note stating that claimant was to be allowed rest periods after walking over 500 feet. Employer stated that they were abiding by the doctor's restrictions. Claimant also complained about his supervisor, and at the time of claimant's quit, his supervisor no longer had supervisory duties over claimant or his work.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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 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 of his dissatisfaction with his supervisor, dissatisfaction that personal information of all employees was hacked, and claimant's lack of ongoing ability to walk around the facility where he was working.

Each of claimant's claims do not justify his quit. Initially claimant was not the only party to have information hacked by an outside party- all employees information was taken. Claimant didn't show that he was injured through this action, nor did he show that his quit occurred immediately after this information was taken. Regarding the medical issue, employer addressed the issue by moving claimant to a smaller facility and abiding by the work restriction which requested that claimant be allowed to rest after walking over 500 feet. Although claimant wanted to not have to leave the help desk, that was not what the doctor's restriction stated, and employer was willing to abide by the stated restriction.

Claimant's last concern, that of his supervisor plotting against claimant was also addressed by employer. The supervisor no longer had a supervisory role over claimant at the time of claimant's quit, and although claimant made an accusation that she still had power, he offered no proof to back up the claim.

As each of claimant's stated reasons for his voluntary quit are not seen to be with good cause attributable to employer, claimant is not eligible to receive unemployment benefits.

DECISION:

The decision of the representative dated June 6, 2017, 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.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn