

**IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI**

**DONNIE D HILDAHL
1200 GILBERT ST
CHARLES CITY IA 50616-2608**

**ALL-STATES QUALITY FOODS
901 N MAIN
PO BOX 365
CHARLES CITY IA 50616**

**Appeal Number: 06A-UI-04642-CT
OC: 04/09/06 R: 02
Claimant: Appellant (1)**

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Donnie Hildahl filed an appeal from a representative's decision dated April 26, 2006, reference 01, which denied benefits based on his separation from All-States Quality Foods. After due notice was issued, a hearing was held by telephone on May 17, 2006. Mr. Hildahl participated personally. The employer responded to the notice of hearing but the designated witness was not available at the number provided at the scheduled time of the hearing.

FINDINGS OF FACT:

Having heard the testimony of the witness and having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Hildahl was employed by All-States Quality Foods from January 10 until March 28, 2006. He worked from 20 to 34 hours each week in

maintenance. He called on March 27 to report that he would be absent. When he returned to work on March 28, his supervisor confronted him about the absence. The two became involved in an argument that lasted approximately ten minutes. During the exchange, both had their voices raised but neither used profanity. They were alone in a back area of the shop.

As a result of the argument, Mr. Hildahl decided to quit. He went to the human resources office and announced his decision to quit. In addition to the argument, Mr. Hildahl also quit because he did not like the fact that the supervisor would sometimes redirect him to a different project than what he was working on. He wanted the supervisor to give him written instructions as to what work was to be performed but was not provided any.

REASONING AND CONCLUSIONS OF LAW:

At issue in this matter is whether Mr. Hildahl was separated from employment for any disqualifying reason. An individual who voluntarily quits employment is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Mr. Hildahl's decision to quit was prompted by the argument he had with his supervisor on March 28. The argument did not take place in the presence of Mr. Hildahl's coworkers such as might cause him embarrassment. There was no profanity or name-calling on the part of the supervisor. Inasmuch as the argument was participated in by both Mr. Hildahl and the supervisor, the administrative law judge concludes that it did not constitute good cause attributable to the employer for quitting.

Mr. Hildahl did not like the manner in which he was being supervised. It was not unreasonable for the supervisor to pull him from one job and reassign him based on the needs of the employer. Although Mr. Hildahl may have preferred written instructions, it does not appear that the lack of written instructions hampered his ability to perform his job. All he had to do was perform the work as it was assigned to him. After considering all of the evidence, the administrative law judge concludes that Mr. Hildahl did not have good cause attributable to the employer for quitting. Accordingly, benefits are denied.

DECISION:

The representative's decision dated April 26, 2006, reference 01, is hereby affirmed. Mr. Hildahl voluntarily quit his employment for no 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 job insurance benefit amount, provided he satisfies all other conditions of eligibility.

cfc/kkf