

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**LISA A EYANSON**  
Claimant

**MOSAIC**  
Employer

**APPEAL NO. 17A-UI-04285-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 01/01/17**  
**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 April 10, 2017, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on May 16, 2017. Claimant participated. Employer participated by hearing representative Thomas Kuiper, and witnesses Theresa Tekolsta, Les Ford, and Janet Fisher. Employer's Exhibits 1 through 4 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 March 15, 2017. Claimant quit on that date as she received a corrective action written warning and felt as though she'd been singled out and picked on.

Employer had given claimant a warning in January, and claimant's supervisor sat down to talk with claimant approximately a week before claimant's quit. Employer addressed a number of issues with claimant's quality of work and her willingness to follow directives. Claimant stated that her supervisor got visibly upset during the March 6, 2017 meeting, and didn't listen to her complaints. Employer stated that claimant did not take criticism and instruction well, and would shut down or get very defensive when given guidance.

Employer stated that claimant's job was not in jeopardy, and employer had ongoing work available for claimant.

**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.

Iowa Admin. Code r. 871-24.25(22) 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:

(22) The claimant left because of a personality conflict with the supervisor.

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 felt picked on by employer. Claimant did not demonstrate that employer had singled out claimant for criticism, nor that her quit was other than a reaction to criticism claimant received on the day of her quit.

**DECISION:**

The decision of the representative dated April 10, 2017, reference 02, 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

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Decision Dated and Mailed

bab/rvs