

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

AUDREY J REEVES
Claimant

APPEAL NO. 09A-UI-01150-HT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BIOLIFE PLASMA LLC
Employer

**OC: 02/24/08 R: 01
Claimant: Appellant (1)**

Section 96.5(1) – Quit

STATEMENT OF THE CASE:

The claimant, Audrey Reeves, filed an appeal from a decision dated January 21, 2009, reference 02. The decision disqualified her from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on February 11, 2009. The claimant participated on her own behalf. The employer, Biolife Plasma, did not provide a telephone number where a witness could be contacted and did not participate.

ISSUE:

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

FINDINGS OF FACT:

Audrey Reeves was employed by Biolife Plasma from November 17 until November 25, 2008, training as a full-time medical supervisor. Ms. Reeves was to do four to six weeks of training for the job in Independence, Missouri. When she arrived, the facility was very disorganized and no one was aware she was to have arrived that day for training and the trainer was on vacation until the next week. For two days she observed the different units in the facility, read the manuals, and certified she had read them, and then another staff person began her training on November 19, 2008.

The next week the designated trainer returned to work and began the formal training with itineraries, tests, and other matters the claimant felt to be more in keeping with the training she expected. However, she was told she would have to work the same hours as the trainer, Verlynn, and she did not go off duty until 4:30 p.m. on Wednesday, November 26, 2008, the day before Thanksgiving. Although Ms. Reeves had Thanksgiving off as promised, she did not want to work until 4:30 p.m. the day before as she wanted to start her return trip home before that.

Ms. Reeves contacted Carla, the woman who hired her and set up the training. Carla told her she would have to work the hours specified by the trainer and the training facility. The claimant gave her verbal resignation to Carla over the phone on November 25, 2008.

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 can understand the claimant's concerns when she arrived at the facility to a very disorganized situation. However, the training was to last four to six weeks and the designated trainer had arrived the next week and commenced the training as Ms. Reeves had expected it would be.

It appears the real problem was the fact she had to work until 4:30 p.m. the day before Thanksgiving and she did not want to drive that evening. The six-hour trip the next day would interfere with her cooking Thanksgiving dinner for her family. This is a matter of purely personal consideration and does not constitute good cause attributable to the employer. The claimant's resignation is a disqualifying event and benefits are denied.

DECISION:

The representative's decision of January 21, 2009, reference 02, is affirmed. Audrey Reeves is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount, provided she is otherwise eligible.

Bonny G. Hendricksmeier
Administrative Law Judge

Decision Dated and Mailed

bgh/kjw