

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CAROL WILD**  
Claimant

**APPEAL NO: 10A-UI-05251-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OPERATION NEW VIEW**  
Employer

**OC: 03/15/09**  
**Claimant: Appellant (1)**

Iowa Code § 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Carol Sue Wild (claimant) appealed an unemployment insurance decision dated March 31, 2010, reference 01, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Operation New View (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 20, 2010. The claimant participated in the hearing. The employer participated through Joy Davis, Administrative Assistant/Human Resources Director and Emily Daniels, Jackson County Outreach Center Coordinator. Claimant's Exhibit A was admitted into evidence. Based on the evidence, the arguments of the parties, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits?

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was originally employed with this employer from 1992 through February 2009. Most recently, she was hired to work full-time hours at two part-time jobs. She was hired to work ten hours per week as a part-time intake worker on October 5, 2009. In this job, she worked for the fuel program which is a low income energy assistance program. The intake worker position is seasonal and she was laid off from this job on February 26, 2010.

The claimant was hired for 30 hours per week as a receptionist on October 31, 2009. She voluntarily quit this job on March 3, 2010 due to what she termed was a hostile work environment. The claimant felt her supervisor, Emily Daniels, made the work environment hostile because Ms. Daniels would not talk to the claimant and/or treated the claimant like she was not there. Ms. Daniels would not give the claimant instructions and when the claimant walked into the office, Ms. Daniels reportedly walked into her own office and shut the door. The

claimant had been friends with Ms. Daniels and she asked Ms. Daniels what the problem was between them. Ms. Daniels responded that she had a lot on her mind but the claimant felt that Ms. Daniels was not being honest. Ms. Daniels testified that they all had a lot on their plates, that they were all having to work harder because one of the employees was absent due to illness.

### **REASONING AND CONCLUSIONS OF LAW:**

The issue is whether the claimant's voluntary separation from employment qualifies her to receive unemployment insurance benefits.

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.

871 IAC 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 § 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 § 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 claimant quit due to what she labeled a hostile work environment but admitted her supervisor only ignored her and did not mistreat her. She acknowledged her supervisor did not call her names, did not yell at her, did not use profanity towards her, did not demean her, did not make fun of her, and did not ridicule her. The claimant told Joy Davis that she and her supervisor had a personality conflict. While the claimant was not happy, the evidence does not support a hostile work environment. "Good cause" for leaving employment must be that which is reasonable to the average person, not to the overly sensitive individual or the claimant in particular. Uniweld Products v. Industrial Relations Commission, 277 So.2d 827 (Florida App. 1973).

It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify her. Iowa Code § 96.6-2. She has not satisfied that burden and benefits are denied.

**DECISION:**

The unemployment insurance decision dated March 31, 2010, reference 01, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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