

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHELLE CASTELLANO
Claimant

APPEAL NO: 14A-UI-01852-ET

**ADMINISTRATIVE LAW JUDGE
DECISION**

WELLS FARGO BANK NA
Employer

OC: 01/12/14
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the February 14, 2014, reference 01, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on April 3, 2014. The claimant participated in the hearing. Timothy Martin, Loan Administrator and James Franzetti, Employer Representative, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant voluntarily left her employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time loan specialist III for Wells Fargo Bank from September 26, 1990 to September 27, 2013. She voluntarily left her job due to stress from her family life and at work.

The claimant's husband is disabled and caring for him, in addition to working her full-time job, was very stressful for her. She was also feeling stress from work. Her supervisor worked in another wing of the building and she could only communicate with him by email and bi-weekly one on one sessions. She testified she became annoyed after a while to be one of only three employees, out of 16, from that team to be separated and isolated in the other wing. The claimant and the other two employees were absorbed by another department that did not have enough space to bring them over to the other wing. She also complained of one of her co-workers sleeping on the job and the supervisor spoke to that employee about his conduct. The claimant never indicated she was considering leaving her job because of any of the above-mentioned work issues.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer.

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code Section 96.6-2.

While the claimant was frustrated by the stress in her home life, which she mentioned first in the hearing, and in her work life, she has not demonstrated that her working conditions were unlawful, intolerable or detrimental, but rather that it was annoying. Although the administrative law judge sympathizes with the claimant's personal situation, she has not demonstrated that her leaving was for good cause attributable to the employer as that term is defined by Iowa law. (Emphasis added). Therefore, benefits must be denied.

DECISION:

The February 14, 2014, reference 01, decision is affirmed. The claimant voluntarily left her employment without good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/pjs