

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRANDON J BUNCH
Claimant

APPEAL NO. 17A-UI-07964-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

WHEELDON FOODS IA LLC
Employer

**OC: 07/16/17
Claimant: Appellant (2)**

Iowa Code § 96.5-1-G – Requalification
Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated August 7, 2017, reference 02, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on August 24, 2017. Employer participated by Matt Lee. Claimant participated. Claimant's Exhibits A-B were admitted into evidence.

ISSUES:

Whether claimant voluntarily quit his job with good cause attributable to employer?

Whether claimant has earned ten times the weekly benefit amount in wages from insured work?

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant walked out on his shift working for employer on March 28, 2017. Claimant states that he was not treated respectfully by coworkers and his assistant manager. Employer explained how claimant had his concerns addressed and found after investigation that claimant was an equal participant in the poor treatment between staff members. Claimant admitted he was going through family difficulties at the time of his quit.

Claimant has earned \$8,329.32 in wages from insured work since the separation of March 28, 2017. Claimant's weekly benefit amount is \$516.00.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 96.5-1-g provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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. But the individual shall not be disqualified if the department finds that:

g. The individual left work voluntarily without good cause attributable to the employer under circumstances which did or would disqualify the individual for benefits, except as provided in paragraph "a" of this subsection but, subsequent to the leaving, the individual worked in and was paid wages for insured work equal to ten times the individual's weekly benefit amount, provided the individual is otherwise eligible.

Whereas claimant is deemed to have voluntarily quit his job working for employer when he walked off in the middle of his shift without good cause attributable to employer, claimant has earned sufficient wages from insured work to qualify for unemployment benefits since the separation.

DECISION:

The decision of the representative dated August 7, 2017, reference 02, is reversed. Unemployment insurance benefits are allowed provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

bab/scn