

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LORAL N CREEK

Claimant

APPEAL NO. 06A-UI-10369-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CHECK INTO CASH OF IOWA INC

Employer

**OC: 09/24/06 R: 01
Claimant: Respondent (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The employer appealed an unemployment insurance decision dated November 7, 2006, reference 01, that concluded the claimant voluntarily quit employment with good cause attributable to the employer. A telephone hearing was held on November 7, 2006. The parties were properly notified about the hearing. The claimant participated in the hearing. D. J. McKenna participated in the hearing on behalf of the employer.

ISSUE:

Did the claimant voluntarily quit employment without good cause attributable to the employer?

FINDINGS OF FACT:

The claimant worked for the employer as a center manager from April 1, 2006, to July 18, 2006. The employer is in the business of providing short-term loans to individuals. The job of center manager requires the manager to make several trips each day to the bank to pick up cash. Security and safety can be a concern with this activity and the employer has instituted security measures to protect its personnel and property.

The claimant was requested to take over as center director for a busy center located on Hubbell Avenue in Des Moines, Iowa. She understood that she would be working with a staff of two other employees and would not be required to work alone. After she was hired, she learned that earlier in the year, employees of the center had been mugged. She was not informed about that by the employer.

The claimant became concerned for her safety because when she started working in the center in mid-July 2006, she was required to work alone because the other employees at the center were not reporting to work. With only one person working at the location, the safety measures set up to avoid having a center targeted by thieves could not be carried out since the employee on duty would have to close the center to go to the bank and return and reopen the center after picking up more cash. She complained to the district manager about having to work alone because of the volume of work at the center and her concerns about safety, but nothing was

done to remedy the situation so on July 18, 2006, the claimant informed the employer that she quitting.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant voluntarily quit 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.

The unemployment insurance rules provide that a person who leaves employment due to unsafe working conditions has quit employment with good cause attributable to the employer. 871 IAC 24.26(2). The evidence establishes the claimant left employment because she reasonably believed that working conditions were unsafe. Further, she complained to management about the safety concern but nothing was done to correct the situation. Good cause attributable to the employer for leaving employment has been proven in this case.

DECISION:

The unemployment insurance decision dated November 7, 2006, reference 01, is affirmed. The claimant is qualified to receive unemployment insurance benefits, if she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/cs