

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**NANCY J BUCK**  
Claimant

**APPEAL NO: 18A-UI-07660-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ABCM CORPORATION**  
Employer

**OC: 06/24/18**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Leaving

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the July 11, 2018, reference 01, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on August 6, 2018. The claimant participated in the hearing. Brian Clark, Human Resources Coordinator and Barbara Murphy, Administrator, 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 developmental assistant for ABCM Corporation from November 9, 2015 to June 19, 2018. She voluntarily left her employment because she felt the facility was understaffed.

The employer cares for mentally challenged and disabled residents. The claimant called the facility June 19, 2018, and stated she was quitting. She did not provide a notice period or a reason for leaving. The claimant testified she left because the facility was “chronically understaffed.”

**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 § 96.5-1 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.

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 unhappy with the staffing and felt the facility was short-staffed, the employer must meet staff to resident ratios and if it is going to be short-staffed it calls in replacements and managers must also fill in. The employer does not believe it was short-staffed very often but asserts the claimant might not be counting employees in other areas besides her own in her calculation that the employer is short-staffed.

Under these circumstances, the administrative law judge must conclude the claimant was dissatisfied with the work environment and has not demonstrated that her leaving was due to unlawful, intolerable, or detrimental working conditions, as is required to find the claimant left for good cause attributable to the employer. Therefore, benefits must be denied.

**DECISION:**

The July 11, 2018, 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.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/scn