

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JENNIFER L THOMPSON**  
Claimant

**APPEAL NO: 12A-UI-04961-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SANDHU GROUP OF COMPANIES INC**  
Employer

**OC: 03/25/12**  
**Claimant: Respondent (4)**

Iowa Code § 96.5(1) – Voluntary Quit  
871 IAC 24.28(1) – Requalifying Wages  
Iowa Code § 96.7(2)a – Employer Liability

**PROCEDURAL STATEMENT OF THE CASE:**

The employer appealed a representative's April 23, 2012 determination (reference 01) that held the claimant qualified to receive benefits and the employer's account was subject to charge because the claimant quit her employment for reasons that qualify her to receive benefits. The parties agreed a hearing was not necessary and a decision could be made based on information in the administrative record. Based on the administrative record and the law, the administrative law judge finds the claimant qualified to receive benefits as of March 25, 2012, and the employer's account will not be charged.

**ISSUE:**

Is the employer's account subject to charge?

**FINDINGS OF FACT:**

The claimant started working for the employer in April 2011. The claimant worked as a part time sandwich artist. The business is owned by a woman named Dajedj and her husband.

On December 19, 2011, the claimant resigned effective immediately. She resigned because she did not appreciate the manner in which Dajedj's husband talked to her that day. When he was upset with the business economy, he sometimes yelled at work and the employees. The claimant did not talk to Dajedj about any issues she had with her husband.

After the claimant quit working for the employer, she worked for another employer, Mainstream Living, Inc. Between January 1 and March 24, 2012, she earned gross wages of \$2483 from this employer. The claimant established a claim for benefits during the week of March 25, 2012. Her maximum weekly benefits amount on this claim is \$220.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if she voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits, she has the burden to establish she quit for reasons that qualify her to receive benefits. Iowa Code § 96.6(2). Even if Dajedj's husband told the claimant her hours would have to be cut and called her worthless when he was upset, these comments do not establish intolerable or detrimental working conditions. 871 IAC 24.26(4). The claimant had compelling reasons for quitting, but she did not quit for reasons that qualify her to receive benefits. Therefore, the employer's account will not be charged.

Since the claimant earned more than ten times her weekly benefit, \$2200, from Mainstream Living, Inc. before she established her claim for benefits, she is qualified to receive benefits as of March 25, 2012. 871 IAC 24.28(1).

**DECISION:**

The representative's April 23, 2012 determination (reference 01) is modified in the employer's favor. The claimant is qualified to receive benefits to receive benefits as of March 25, 2012, provided she meets all other eligibility requirements. The employer's account will not be charged for benefits paid to her.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw