

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

WANDA K ZACEK
Claimant

IOWA CATHOLIC CONFERENCE
Employer

APPEAL NO. 14A-UI-06702-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 06/01/14
Claimant: Appellant (1)**

Iowa Code § 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Claimant filed an appeal from a decision of a representative dated June 20, 2014, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on July 21, 2014. Claimant participated. Employer participated by Paul Jahnke.

ISSUE:

The issue in this matter is whether claimant quit for good cause attributable to employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on May 30, 2014. On May 29 claimant's supervisor was fired for insubordination. Claimant and her coworkers had a meeting with the school principal where the principal told them that they would be welcome to quit if they wanted because their supervisor had just been terminated. All food service workers decided to stay employed.

That day and the next day, the workers prepared lunch as normal. But there was no supervisor there. Employer had volunteers who came to the lunchroom to help out. The volunteers appeared to be spending time watching the cooks. The cooks were uncomfortable. Actions by janitors and others appeared to be different than usual.

On May 30 claimant and the other food service workers decided to resign from their positions. They went into the principal's office and submitted resignations that were effective immediately. Prior to the submission of resignation, claimant had not complained about any of the actions which had occurred. At no time was the principal informed of how uncomfortable the cooks had become, such that any concerns could be addressed.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code § 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 administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer, when claimant terminated the employment relationship because she felt that she was being watched over by the school administration in a way that created a hostile work environment. Claimant has given no evidence of a hostile work environment which forced her to quit her job.

DECISION:

The decision of the representative dated June 20, 2014, reference 01, is affirmed. Unemployment insurance benefits shall be withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Blair A. Bennett
Administrative Law Judge

Decision Dated and Mailed

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