

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JENNIFER J ADAMS
Claimant

APPEAL NO. 11A-UI-12848-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CDS GLOBAL INC
Employer

**OC: 09/04/11
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated September 26, 2011, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on October 20, 2011. The parties were properly notified about the hearing. The claimant participated in the hearing. Jill Rasmussen 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 as a customer service representative for the employer from June 6, 2011, to September 7, 2011. The employer is a magazine fulfillment service company that takes incoming calls from subscribers of magazines who have questions about their magazine subscriptions. Magazine publishers contract with the employer to provide the services.

The claimant became dissatisfied with stress of handling phone calls from irate subscribers. The main problems were subscribers who discovered charges on the credit cards for magazines that they did not believe they had ordered or renewed. The claimant believed the employer was acting unethically regarding these subscribers.

The claimant was been trained to give a customer who had a problem with an auto-renewal of a subscription the phone number of the source of the magazine to cancel the auto-renew. She also had the option of transferring a belligerent caller to a supervisor.

The claimant started suffering from stress-related physical problems including insomnia and stomach pain. She went to the doctor and explained her problems. He advised her to reduce the stress in her life, which she took as advice to quit her job.

On September 7, 2011, the claimant put a note stating she was quitting on a supervisor's desk and leave the building. She quit due to the stress of dealing with irate customers on the job.

REASONING AND CONCLUSIONS OF LAW:

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

The unemployment insurance rules provide that a claimant who quits due to intolerable or detrimental working conditions attributable to the employer is eligible for benefits. 871 IAC 24.26(4). On the other hand, a claimant who quits due to dissatisfaction with the work environment quits without good cause attributable to the employer. 871 IAC 24.25(21).

The unemployment insurance rules provide that a claimant is qualified to receive benefits if compelled to leave employment due to a medical condition attributable to the employment. The rules require a claimant: (1) to present competent evidence that conditions at work caused or aggravated the medical condition and made it impossible for the claimant to continue in employment due to a serious health danger and (2) to inform the employer before quitting of the work-related medical condition and that the claimant intends to quit unless the problem is corrected or condition is reasonably accommodated. 871 IAC 24.26(6)b.

Based on the above statute and rules, the evidence shows that the claimant left due to dissatisfaction with her work environment. Dealing with customer complaints was part of the job and the claimant has not proven that the employer was engaging in anything unethical. The claimant has not met the conditions for receiving benefits under 871 IAC 24.26(6)b because she has not presented any medical evidence that conditions at work caused or aggravated the medical condition and made it impossible for the claimant to continue in employment due to a serious health danger. She has not shown that she informed the employer before quitting of the work-related medical condition and that she intended to quit unless the problem was corrected or condition was reasonably accommodated.

DECISION:

The unemployment insurance decision dated September 26, 2011, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css