

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**HOLLY J HENZE**  
Claimant

**APPEAL NO: 12A-UI-12212-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CENTRAL MILLWRIGHT SERVICE LLC**  
Employer

**OC: 09/09/12**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(21) – Dissatisfaction of the Work Environment

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated October 1, 2012, reference 01, that held she voluntarily quit employment without good cause on September 12, 2012, and benefits are denied. A hearing was held in Des Moines, Iowa on December 4, 2012. The claimant participated. Donnie and Gina Boun, Co-Owners, participated for the employer.

**ISSUE:**

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witnesses, and having considered the evidence in the record, finds: The claimant began work on July 5, 2011 and last worked for the employer as a full-time bookkeeper on September 12, 2012. The claimant's husband is a co-owner of a customer business. The employer asked claimant to keep billing practices to her husband's business confidential as well as other related internal matters.

The employer met with claimant on September 10 to question her about confidentiality involving the employer and her husband's business. The issue is whether claimant was sharing billing practice information and discussing employer-employee discipline. At the end of the conversation, the employer stated it was not sure if it wanted claimant to continue employment. The employer later talked with claimant's husband about the confidentiality issue.

Claimant and her husband talked about what happened and he left it up to her to deal with conflict. Claimant was upset that the employer did not speak to her about the situation when she was in the office the next day.

The following day claimant did have a meeting with the employer. She was frustrated the employer did not provide her specific examples about what it considered were a confidentiality issue. At the end of the discussion claimant said I will make it easy for you – I quit and left the office. Claimant later learned the employer posted a job order with the department about a bookkeeper but the employer denies it was related to her employment.

**REASONING AND CONCLUSIONS OF LAW:**

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.

871 IAC 24.25(21) provides:

Voluntary quit without good cause. 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. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(21) The claimant left because of dissatisfaction with the work environment.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on September 12, 2012 due to job dissatisfaction.

While claimant had a good personal reason for quitting employment, but it is not attributable to the employer. The employer has a right to question employee about confidentiality especially when the parties knew from the outset this could be an issue. While the employer indicated it was indecisive about claimant's employment on September 10, she was not terminated, and she worked the next day. Her decision to quit on September 12 was voluntary. The after quit information about the job posting was not known to her when she quit.

**DECISION:**

The department decision dated October 11, 2012 reference 01 is affirmed. The claimant voluntarily quit without good cause attributable to the employer on September 12, 2012. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/css