

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MUSTAFA A HAJI**  
Claimant

**APPEAL NO. 12A-UI-04367-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MARRIOTT HOTEL SERVICES INC**  
Employer

**OC: 01/22/12**  
**Claimant: Appellant (1)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Mustafa Haji, filed an appeal from a decision dated April 3, 2012, reference 03. The decision disqualified him from receiving unemployment benefits. After due notice was issued, a hearing was held by telephone conference call on May 9, 2012. The claimant participated on his own behalf and Ibrahim Abukar acted as interpreter. The employer, Marriott, participated by Human Resources Manager Kim Compton.

**ISSUE:**

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

**FINDINGS OF FACT:**

Mustafa Haji was employed by Marriott from November 15, 1997 until February 24, 2012 as a part-time kitchen attendant. He had also held another part-time job since 2000. He gave a written resignation to Human Resources Manager Kim Compton on February 24, 2012, stating he was quitting for "health reasons." Work had become very busy and he was having problems working the two jobs. In addition, the claimant disagreed with some of the new supervisors and the manner in which they wanted certain jobs performed. Continuing work was still available to him had he not quit.

**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) and (22) provide:

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.

(22) The claimant left because of a personality conflict with the supervisor.

The claimant quit because working two part-time jobs was beginning to take a toll on his health. He did not have the recommendation from a doctor to quit, nor was there any specific medical problem, only a general perception of being overworked and tired. While this may constitute good personal cause, it is not good cause attributable to the employer for quitting.

In addition, his inability to get along with the supervisors and do the work as they required it to be done does not constitute good cause attributable to the employer under the provisions of the above Administrative Code section.

The record establishes the claimant did not have good cause attributable to the employer for quitting and he is disqualified.

**DECISION:**

The representative's decision of April 3, 2012, reference 03, is affirmed. Mustafa Haji is disqualified and benefits are withheld until he has earned ten times his weekly benefit amount in insured work, provided he is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/kjw