

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JACQUELINE PALS

Claimant

APPEAL NO: 13A-UI-04389-ET

**ADMINISTRATIVE LAW JUDGE
DECISION**

WELLS FARGO BANK NA

Employer

OC: 03-03-13

Claimant: Appellant (1)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the April 4, 2013, reference 02, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on May 21, 2013. The claimant participated in the hearing. Angela Denklau, Service Manager and Francis Landolphi, Employer's Representative, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant voluntarily left her employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time bank teller for Wells Fargo Bank from June 16, 2002 to July 10, 2012. The claimant was absent July 9, 2012, to care for a sick child. She called Service Manager Angela Denklau at 5:30 a.m. and said she was trying to find other options. Ms. Denklau asked her to call back by 8:00 a.m. for her 8:15 a.m. shift. The claimant did not respond until 9:45 a.m. At 7:33 p.m. the claimant texted Ms. Denklau and indicated her daughter was still ill and her mother was not an option. Ms. Denklau texted back that the claimant should wait and see how her child felt in the morning and if she was still sick there was nothing the claimant could do and she would have to stay with her child. She told the claimant to call her in the morning and let her know. The claimant's job was not in jeopardy.

The claimant had been having difficulty operating the computer system and on July 9, 2012, the claimant and the employer mutually decided the claimant would go through teller retraining for four days. The claimant was feeling stress from the sales aspect of the job, believed she was rushed into the credit card sales and did not feel she was adequately trained.

On July 10, 2012, the claimant texted Ms. Denklau at 7:55 a.m. and asked if she received her previous text. Ms. Denklau sent the claimant a text message stating she had not received a message from her and asking if she complied with the employer's attendance policy of calling

and speaking to someone personally to report her absence. The claimant did not respond so Ms. Denklaub tried to call her but did not get an answer. Later she received a text message from the claimant stating, "Maybe I'm just not a fit there Angela." The manager called the claimant and left a voice mail for the claimant saying she needed to talk to her as soon as possible. The claimant then sent Ms. Denklaub a message stating, "I'm done" and voluntarily resigned her position with the employer.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left her employment without good cause attributable to the employer.

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code Section 96.6-2.

While the claimant was uncomfortable with the credit card sales aspect of the teller job, she quit after four weeks of employment. That was not a fair amount of time to give herself to learn the job or for the employer to teach her all aspects of the job. The claimant's job was not in jeopardy. Although the claimant was dissatisfied with the job, she has not demonstrated that the work environment was unlawful, intolerable or detrimental as those terms are defined by Iowa law. Therefore, benefits must be denied.

DECISION:

The April 4, 2013, reference 02, decision is affirmed. The claimant voluntarily left her employment without good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

je/pjs