

full time employee. Ms. Knight gave owner Chris Druppel notice that she intended to resign as soon as he hired and trained a replacement. Mr. Druppel accepted the resignation on June 14, 2005, electing to promote from within the organization. Ms. Knight resigned because she did not like the work.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence establishes that the claimant quit with good cause attributable to the employer. It does not.

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.

The claimant testified that she did not like the work a resignation because of dissatisfaction with the work environment is considered to be one without good cause attributable to the employer. See 871 IAC 24.25(21). A resignation is considered to be complete when the employer has accepted the resignation. See 871 IAC 24.25(37). The evidence in this record establishes that Mr. Druppel accepted the claimant's resignation on September 14, 2005. Benefits must be withheld.

DECISION:

The unemployment insurance decision dated October 4, 2005, reference 03, is affirmed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

kkf/kjw