

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ELLEN M BOOSE
Claimant

APPEAL NO. 09A-UI-00027-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

KINSETH HOTEL CORPORATION
Employer

OC: 11/30/08 R: 03
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Ellen Boose filed an appeal from a representative's decision dated December 22, 2008, reference 01, which denied benefits based upon her separation from Kinseth Hotel Corporation. After due notice was issued a hearing was held by telephone on January 14, 2009. Ms. Boose participated personally. The employer participated by Richard Clinesmith, Hearing Representative, and witness, Brian Ossian, General Manager.

ISSUE:

The issue in this matter is whether the claimant quit for good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: The claimant worked for this employer from October 22, 2008 until November 22, 2008 when she voluntarily quit employment due to dissatisfaction with her work environment. Ms. Boose was employed as a part-time housekeeper working approximately 30 hours per week.

The claimant left her employment without advance notice due to general dissatisfaction with the employer's ability to provide adequate cleaning supplies and linens for room cleaning purposes. Due to staffing and/or production issues, housekeepers at times were unable to be supplied immediately with sufficient linen, towels and cleaning supplies. The claimant at times was required to work extra until supplies were available. Ms. Boose was compensated for the extra work.

The employer was completely satisfied with Ms. Boose's performance and the company was attempting to improve the performance of laundry staff so that adequate supplies would be available. Prior to leaving employment the claimant did not indicate that she would quit employment if working conditions did not change. Work continued to be available to the claimant at the time that she chose to leave without advance notice.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the evidence in the record establishes the claimant left her employment with good cause for reasons attributable to the employer. It does not.

The evidence in the record establishes that the employer was entirely satisfied with Ms. Boose's performance and was attempting to make changes in production and staffing so that cleaning supplies and linens would be more readily available to housekeeping staff. The claimant was compensated for any extra time that she was required to perform her services for the company and at the time of the claimant's leaving she had not received any disciplinary actions or warnings and her employment was not in jeopardy.

While Ms. Boose's reasons for leaving were undoubtedly good from a personal viewpoint, the claimant's general dissatisfaction with the working environment does not supply good cause attributable to the employer for voluntarily leaving her employment. Based upon the evidence in the record the administrative law judge concludes that the claimant's leaving employment was not due to intolerable or detrimental working conditions.

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.

DECISION:

The representative's decision dated December 22, 2008, reference 01, is affirmed. The claimant voluntarily quit employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times the claimant's weekly benefit amount, providing that she is otherwise eligible.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

pjs/pjs