

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CONNIE L HOCH**  
Claimant

**APPEAL NO. 07A-UI-06180-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WALL ST MISSION**  
Employer

**OC: 05/27/07 R: 01  
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated June 18, 2007, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on July 17, 2007. The parties were properly notified about the hearing. The claimant participated in the hearing with witnesses, Darlene Bodholdt and Jean Fisher. Lori Heger participated in the hearing on behalf of the employer with a witness, Rhonda Santellanes. Exhibits One and Two were admitted into evidence at the hearing.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked for employer from November 11, 2004, to May 24, 2007, as a retail processing worker in the employer's thrift shop in Storm Lake, Iowa. Her supervisor was the store manager, Rhonda Santellanes.

The claimant voluntarily quit her employment on May 24, 2007, because she considered Santellanes abusive to her. On May 2, 2007, the claimant had complained to Jan King, the vice president of operations, that Santellanes was out to get her. She explained to King that she felt Santellanes showed favoritism toward another employee in scheduling because the claimant was being scheduled to work on a Monday when she had been off before. King explained that schedules were subject to change and employees were required to check their schedules. She told King that she believed Santellanes and the assistant manager were cold to her because they were not go on breaks with her anymore. King explained that she had instructed managers not to take breaks with staff.

After the meeting, the claimant believed Santellanes treated her differently because she had gone over her head to King. She thought Santellanes was picking at her about her work and was overly critical. The claimant wanted directions from Santellanes, but Santellanes would often tell her that the claimant knew what to do. There were times when she heard Santellanes

belittle employees behind their backs. She was upset about having to work May 12 and 13 because it was Mother's Day weekend, but she agree to work.

On May 21, 2007, Santellanes had brought the claimant into the office to talk to her because the claimant had told a customer that Santellanes was cold toward the claimant. Santellanes told her that she was not permitted to say negative things about the store in public. At first the claimant denied talking to any customer, but later admitted she had confided in a customer about her feelings that Santellanes was treating her coldly. The claimant became upset that Santellanes was accusing her unjustly.

On May 24, 2007, Santellanes presented a written statement for the claimant's signature recounting what had happened in the meeting on May 21, 2007. The claimant refused to sign the statement and decided to quit her employment that day because she could no longer tolerate what she considered Santellanes' abuse treatment of her.

### **REASONING AND CONCLUSIONS OF LAW:**

The issue in this case is whether the claimant voluntarily quit 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.

871 IAC 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

The claimant has not established that working conditions were intolerable in this case. While everyone wants a harmonious and warm relationship with their supervisors, the fact that Santellanes wanted to keep things more business-like does not establish intolerable working conditions. She was justified in not taking her breaks with the claimant because a supervisor directed that she no longer to that. Santellanes had the right to counsel the claimant after she talked to a customer about her problems at work. The claimant has not proven that when she was hired there was any guaranteed schedule. The fact that Santellanes was wanting the claimant to take the initiative in directing her own work does not establish intolerable working conditions. The evidence shows the claimant quit employment due to a personality conflict with her supervisor, which does not prove good cause attributable to the employer under the unemployment insurance rules. 871 IAC 24.25(22).

### **DECISION:**

The unemployment insurance decision dated June 18, 2007, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid

wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

---

Steven A. Wise  
Administrative Law Judge

---

Decision Dated and Mailed

saw/css