

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**BARBARA A KOHL**  
Claimant

**APPEAL NO. 12A-UI-11550-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GHOSH CENTER FOR ONCOLOGY &  
HEMOT**  
Employer

**OC: 09/21/12**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed a timely appeal from a representative's decision dated September 17, 2012, reference 01, which denied unemployment insurance benefits finding that she voluntarily quit work due to a personality conflict with her supervisor. After due notice was provided, a telephone hearing was held on October 22, 2012. The claimant participated personally. Participating for the employer were Mindy Martin, Human Resource Representative, Marie Johnson and Kristi Homewood.

**ISSUE:**

At issue is whether the claimant left employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: Barbara Kohl was employed by the captioned employer from June 4, 2012 until August 16, 2012 when she voluntarily left employment. Ms. Kohl was employed as a full-time general office worker and was paid by the hour. Her immediate supervisor was Marie Johnson.

Ms. Kohl left her employment due to dissatisfaction with the manner in which her immediate supervisor, Marie Johnson, interacted with her. Based upon Ms. Kohl's complaints about Ms. Johnson the employer had met with the parties on July 9, 2012 to attempt to resolve any conflicts. The employer concluded that Ms. Johnson was conducting herself appropriately by attempting to provide training and to supervise Ms. Kohl in her duties. Based upon her ongoing dissatisfaction with work and the direction of Ms. Johnson, Ms. Kohl quit her position with the employer.

**REASONING AND CONCLUSIONS OF LAW:**

The question before the administrative law judge is whether the evidence in the record establishes that the claimant left employment 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.

871 IAC 24.25(22) 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:

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

The evidence in the record establishes that Ms. Johnson was fulfilling her supervisory responsibilities by providing training and supervision to Ms. Kohl. When the claimant complained about the manner in which Ms. Johnson was doing so the employer acted reasonably in investigating and holding a meeting in an attempt to resolve any areas of dissatisfaction. The employer concluded that Ms. Johnson was conducting herself appropriately. Ms. Kohl nonetheless continued to be dissatisfied and chose to voluntarily leave employment.

While the claimant's reasons for leaving may have been good-cause reasons from her personal viewpoint, they were not good-cause reasons attributable to the employer. Unemployment insurance benefits are withheld.

**DECISION:**

The representative's decision dated September 17, 2012, reference 01, is affirmed. The claimant left 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 her weekly benefit amount and is otherwise eligible.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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