

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHRISTINA CARLSON
Claimant

APPEAL NO. 09A-UI-05036-CT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GREAT RIVER MEDICAL CENTER
Employer

OC: 02/22/09
Claimant: Appellant (1)

Section 96.5(1) – Voluntary Quit

STATEMENT OF THE CASE:

Christina Carlson filed an appeal from a representative's decision dated March 18, 2009, reference 01, which denied benefits based on her separation from Great River Medical Center (GRMC). After due notice was issued, a hearing was held by telephone on April 27, 2009. Ms. Carlson participated personally. The employer participated by Jennifer Houston, Director of Laboratory Services, and Kelly Augustine, Human Resources Generalist.

ISSUE:

At issue in this matter is whether Ms. Carlson was separated from employment for any disqualifying reason.

FINDINGS OF FACT:

Having heard the testimony of the witnesses and having reviewed all of the evidence in the record, the administrative law judge finds: Ms. Carlson was employed by GRMC from April 30, 2001 until February 17, 2009 as a full-time microbiology technician. She voluntarily quit the employment because of an inability to get along with her coworkers. She was experiencing migraine headaches and chest pains but was not advised by a doctor to leave the employment.

Ms. Carlson found that two of her coworkers disagreed with her a lot because they did not feel she was performing her job properly as some of her results were not accurate. They reported their disagreements to the supervisor but Ms. Carlson was never disciplined as a result of their reports. She never threatened to quit because of the disagreements or due to any other work-related matter. Continued work would have been available if she had not quit.

REASONING AND CONCLUSIONS OF LAW:

An individual who leaves employment voluntarily is disqualified from receiving job insurance benefits unless the quit was for good cause attributable to the employer. Iowa Code section 96.5(1). Ms. Carlson quit her job because two of her coworkers criticized her job performance and went to the supervisor over the matter. It was not unreasonable for them to go to the supervisor if they felt the facility was being compromised due to inaccurate test results. It

is noteworthy that Ms. Carlson was never disciplined as a result of their complaints to the supervisor. An individual who leaves employment due to the inability to get along with others is presumed to have left without good cause attributable to the employer. See 871 IAC 24.25(6).

Ms. Carlson contended that the inability to get along with her coworkers caused her to experience stress. If she was experiencing medical problems caused by the employment, she had a duty to put the employer on notice of the problem and to notify the employer that she intended to quit if the problem was not corrected. Suluki v. Employment Appeal Board, 503 N.W.2d 402 (Iowa 1993). Such notice allows the employer a reasonable opportunity to try to correct the situation and salvage the employment relationship. Because Ms. Carlson never threatened to quit, she did not give GRMC the opportunity to correct the situation that was causing her to quit. For the reasons stated herein, it is concluded that she did not have good cause attributable to the employer for quitting. As such, benefits are denied.

DECISION:

The representative's decision dated March 18, 2009, reference 01, is hereby affirmed. Ms. Carlson quit her employment for no good cause attributable to the employer. Benefits are withheld until she has worked in and been wages for insure work equal to ten times her weekly job insurance benefit amount, provided she is otherwise eligible.

Carolyn F. Coleman
Administrative Law Judge

Decision Dated and Mailed

cfc/css