

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JEREMY W FLYNN

Claimant

APPEAL NO: 10A-UI-16300-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

IOWA TRENCHLESS LLC

Employer

OC: 12/20/09

Claimant: Appellant (1)

Iowa Code § 96.5(1) – Voluntary Quit

PROCEDURAL STATEMENT OF THE CASE:

The claimant appealed a representative's November 19, 2010 determination (reference 02) that disqualified him from receiving benefits and held the employer's account exempt from charge because he voluntarily quit his employment for reasons that do not qualify him to receive benefits. The claimant participated in the hearing. Renee Gashche and Jason Clark, the owner, appeared on the employer's behalf.

Even though the employer sent potential exhibits on January 6, the Appeals Section did not receive these documents until January 13. Since the claimant had not received the documents either, the employer was asked to testify about any relevant information in the documents during the hearing. Based on the evidence, the arguments of the parties, and the law, the administrative law judge finds the claimant is not qualified to receive benefits as of June 13, 2010.

ISSUE:

Did the claimant voluntarily quit his employment for reasons that qualify him to receive benefits?

FINDINGS OF FACT:

The claimant started working for the employer in April 2008. The claimant quit in 2009, but the employer rehired him in August 2009. When the claimant worked, he worked full time and did various jobs.

During his employment, the claimant had some problems getting paid correctly for the hours he worked. His supervisor submitted to Gashche the hours the claimant worked. When the claimant noticed errors and brought the errors to the employer's attention, the employer investigated and corrected errors connected the claimant's wages. Although the claimant understood he was not covered by the employer's insurance until April 2010, he actually had insurance coverage as of March 1, 2010. The claimant signed the insurance papers on March 14, but the employer backdated his coverage to start on March 1, 2010.

On June 15, Clark heard the claimant and his supervisor had a misunderstanding. Clark tried to find out what happened and asked co-workers if they knew anything. All Clark learned was that the claimant had been upset with his supervisor.

On June 16, the claimant sent Clark a text message telling him that he no longer worked for the employer. The claimant quit because he heard Clark had been asking his co-workers what had happened the day before between the claimant and his supervisor.

REASONING AND CONCLUSIONS OF LAW:

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits, he has the burden to establish he quit for reasons that qualify him to receive benefits. Iowa Code § 96.6(2).

The claimant quit because he learned the owner asked co-workers why he had been upset with his supervisor. While this may be a compelling personal reason for quitting, the claimant did not establish he quit for reasons that qualify him to receive benefits. As of June 13, 2010, the claimant is not qualified to receive benefits.

DECISION:

The representative's November 19, 2010 determination (reference 02) is affirmed. The claimant voluntarily quit his employment for reasons that do not qualify him to receive benefits. The claimant is disqualified from receiving unemployment insurance benefits as of June 13, 2010. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css