

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BRENDA L SLY
Claimant

APPEAL NO: 14A-UI-03113-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

CASEY'S MARKETING COMPANY
Employer

OC: 02/16/14
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Quit
871 IAC 24.25(21) – Dissatisfaction of the Work Environment

STATEMENT OF THE CASE:

The claimant appealed a department decision dated March 14, 2014, reference 02, that held she voluntarily quit employment without good cause on February 7, 2014, and benefits are denied. A telephone hearing was held on April 14, 2014. The claimant participated. Sandra Delp, Store Manager, and Joan Mahoney, Area Supervisor, participated for the employer. Employer Exhibit 1 was received as evidence.

ISSUE:

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge having heard the witness testimony and having considered the evidence in the record finds: The claimant began work on May 23, 2013 at the Madrid location, and last worked for the employer as a full-time pizza maker at the Woodward store on February 7, 2014. The assistant manager raised her voice when claimant argued about some work performance corrections. Claimant went on a break and failed to return to her work shift. Claimant did not contact the employer and/or return to work for her next two days of scheduled of work.

REASONING AND CONCLUSIONS OF LAW:

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(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.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on February 7, 2014 due to job dissatisfaction.

It is believable the assistant manager raised her voice in correcting claimant about some work performance mistakes. Claimant's response in walking off the job and failing to report for her next two shifts without contacting the store manager is irresponsible. There is no record of claimant prior complaints. Good cause for quitting is not established.

DECISION:

The department decision dated March 14, 2014, reference 02, is affirmed. The claimant voluntarily quit without good cause attributable to the employer on February 7, 2014. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/css