

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**DARRIN DICKERSON**  
Claimant

**APPEAL NO. 18A-UI-03253-S1-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SDH EDUCATION WEST LLC**  
Employer

**OC: 02/18/18**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

Darrin Dickerson (claimant) appealed a representative's March 7, 2018, decision (reference 01) that concluded he was not eligible to receive unemployment insurance benefits because he voluntarily quit work with SDH Education West (employer). After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was scheduled for April 5, 2018. The claimant participated personally. The employer participated by Dannie Crozier, District Manager.

**ISSUE:**

The issue is whether the claimant was separated from employment for any disqualifying reason.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was hired in July 2002, as a full-time general manager. Every year the employer sent managers an e-mail letting them know when pay increases would be effective and what the increases would be. The increases usually varied by the individual's performance.

In December 2017, the employer sent out an e-mail stating increases would be effective on December 23, 2017. No increase amounts were specified. Employees recognized that this was unusual. On January 3, 2018, the employer held a town hall webinar. Employees learned that due to financial concerns and labor costs, managers would not be receiving any increases. Managers were also told to decrease hourly employee's hours by five hours per week or the managers would face disciplinary action up to and including termination. On January 5, 2018, the claimant submitted his resignation effective January 19, 2018. He quit because he did not want to reduce employee's hours and he thought he would never see an increase to his salary. The claimant worked through January 19, 2018. Continued work was available had the claimant not resigned.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow the administrative law judge concludes the claimant voluntarily quit work without good cause attributable to the employer.

Iowa Code section 96.5(1) provides:

An individual shall be disqualified for benefits, regardless of the source of the individual's wage credits:

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.

Iowa Admin. Code r. 871-24.25(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.

A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980). The claimant's intention to voluntarily leave work was evidenced by his words and actions. He told the employer he was leaving and quit work. When an employee quits work because he is dissatisfied with the work environment, his leaving is without good cause attributable to the employer. The claimant left work because he did not like the decisions his employer was making about compensating its employees and he did not wish to carry out those decisions. Working within the employer's rules is part of the work environment. The claimant left work because he was dissatisfied with his work environment. His leaving was without good cause attributable to the employer. The claimant voluntarily quit without good cause attributable to the employer. Benefits are denied.

**DECISION:**

The representative's March 7, 2018, decision (reference 01) is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times the claimant's weekly benefit amount provided the claimant is otherwise eligible.

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Beth A. Scheetz  
Administrative Law Judge

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Decision Dated and Mailed

bas/rvs