

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DANIEL W BLUMER**  
Claimant

**APPEAL NO. 11A-UI-14406-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARGILL MEAT SOLUTIONS CORP**  
Employer

**OC: 09/04/11**  
**Claimant: Appellant (2)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated October 17, 2011, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on December 2, 2011. The parties were properly notified about the hearing. The claimant participated in the hearing. Ben Wise participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full time for the employer as a production worker from January 10, 2011, to September 1, 2011.

In addition to his regular work duties, the claimant's supervisor was constantly pulling him out of his regular job to perform extra work duties in a different department. The claimant complained to his supervisor about this, and was told in December and January that the employer would be providing help. Instead, the claimant continued to be pulled from his job and asked to do extra duties. At the same time, the claimant was repeatedly being harshly criticized by supervisors for not getting his work done. In addition, the claimant was told that he could order a freezer vest and one would be provided from him since his job involved going in and out of freezers. But when he asked his supervisor, the supervisor told him that it would take some under the table action to get the vest.

On September 1, 2011, the claimant reported to work and found that his work area, which he had left orderly when he finished his shift was a mess with work that should have been done. The claimant decided that working conditions were no longer tolerable. He informed a supervisor that he could not take it anymore and was going home. The supervisor said he was sorry to hear it and asked him to turn in his equipment, which he did.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

871 IAC 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

- (4) The claimant left due to intolerable or detrimental working conditions.

The preponderance of the evidence establishes the claimant was subject to intolerable and detrimental working conditions, that he complained to his supervisor about the conditions, but nothing was done to improve the situation so he quit. Good cause attributable to the employer for quitting has been shown.

**DECISION:**

The unemployment insurance decision dated October 17, 2011, reference 01, is reversed. The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs