

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**REBECCA L THOMPSON**  
Claimant

**CASEY'S MARKETING CO**  
Employer

**APPEAL 15A-UI-12003-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/04/15**  
**Claimant: Appellant (1)**

Iowa Code § 96.5(1) – Voluntary Quitting

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the October 20, 2015, (reference 01) unemployment insurance decision that denied benefits based upon a voluntary quit. The parties were properly notified about the hearing. A telephone hearing was held on November 16, 2015. Claimant participated. Employer participated through area supervisor, Millie Vroegh. Employer's Exhibit 1 was received.

**ISSUE:**

Did claimant voluntarily quit the employment with good cause attributable to employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full time as a store manager from February 4, 2011, and was separated from employment on September 28, 2015, when she resigned.

Claimant had been dissatisfied with her job. Claimant did not have health insurance and had problems attracting and retaining good employees for the store. The assistant manager had been causing claimant difficulties with performance issues.

On September 28, 2015, area supervisor, Millie Vroegh audited claimant's store. Vroegh realized the store paid a customer for a lottery ticket, but did not have a copy of the ticket. Vroegh asked claimant about the situation, and claimant stated the assistant manager had completed the books on the date in question. Vroegh informed claimant she was going to view the video surveillance from the date in question. Claimant then confessed she was the person who had done the books, knew about the situation, and did not bring the situation to higher management's attention. Claimant stated the assistant manager had caused her a lot of problems and she was trying to get her in trouble. Claimant then resigned.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation from the employment was without good cause attributable to the employer.

Iowa Code § 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.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). "Good cause" for leaving employment must be that which is reasonable to the average person, not the overly sensitive individual or the claimant in particular. *Uniweld Products v. Indus. Relations Comm'n*, 277 So.2d 827 (Fla. Dist. Ct. App. 1973).

Here, claimant did not like the work environment and the terms and conditions of employment. While the situation may have been dissatisfactory to claimant, it would not have been intolerable to the average person. Additionally, claimant resigned in a situation where she knew she very likely would be reprimanded or terminated for misconduct. This is not a good-cause reason attributable to employer under the law. Claimant has failed to show she resigned for a good-cause reason attributable to employer.

## DECISION:

The October 20, 2015, (reference 01) unemployment insurance decision is affirmed. Claimant voluntarily left the employment without good cause attributable to the employer. Benefits are withheld until such time as she has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

---

Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

---

Decision Dated and Mailed

cal/css