

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DEMARCUS C EDGERTON**  
Claimant

**APPEAL NO. 11A-UI-07320-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FAMILY DOLLAR STORES OF IOWA INC**  
Employer

**OC: 04/10/11**  
**Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

DeMarcus C. Edgerton filed a timely appeal from an unemployment insurance decision dated May 31, 2011, reference 01, that disqualified him for benefits. After due notice was issued, a telephone hearing was held June 28, 2011, with Mr. Edgerton participating. His former employer, Family Dollar Stores, provided the name and telephone number of a witness. The witness's phone was answered by a recording stating that the phone was not accepting calls. There was no contact from the employer prior to the close of the record.

**ISSUE:**

Did the claimant leave work with good cause attributable to the employer?

**FINDINGS OF FACT:**

DeMarcus C. Edgerton was employed full time as a cashier and stocker by Family Dollar Stores of Iowa, Inc. from September 2010 until he resigned on or about March 13, 2011. Mr. Edgerton had requested time off for the weekend of March 12 and 13, 2011 to move his family from Davenport to Maquoketa. Manager Dianna German had initially not scheduled him for that weekend. However, the schedule was changed several times in the days immediately before that weekend, leaving Mr. Edgerton on the schedule during the time he had planned to move. He did not attempt to contact Ms. German to remind her of his need to be off duty that weekend. Instead, he resigned.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the evidence establishes that the claimant left work with good cause attributable to the employer. It does not.

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.

The claimant has the burden of proof. See Iowa Code § 96.6-2. Although an individual may receive unemployment insurance benefits if he or she resigns because of intolerable or detrimental working conditions, benefits are withheld if the resignation was due to dissatisfaction with the work environment. See 871 IAC 24.26(4) and 871 IAC 24.25(21), respectively.

It is clear from the evidence that Mr. Edgerton was frustrated by the scheduling changes immediately preceding his resignation. This appears, however, to be a short-term problem involving a particular weekend, not a long-term issue. For this reason, the administrative law judge concludes that the evidence falls short of establishing intolerable or detrimental working conditions. Benefits are withheld.

**DECISION:**

The unemployment insurance decision dated May 31, 2011, reference 01, is affirmed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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