

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SANDRA CROUSE
Claimant

APPEAL NO. 11A-UI-16457-WT

**ADMINISTRATIVE LAW JUDGE
DECISION**

GOOD SAMARITAN SOCIETY INC
Employer

**OC: 11/20/11
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit
Section 96.3-7 – Recovery of Overpayment of Benefits

STATEMENT OF THE CASE:

Claimant filed an appeal from a fact-finding decision dated December 27, 2011, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a telephone conference hearing was scheduled for and held on February 27, 2012. Claimant participated. Employer participated by Pamela Wilson, Director of Campus Housing and Cheryl Williams, H.R. Associate. Employer Exhibits A through B and Claimant Exhibit 1 were admitted into evidence.

ISSUES:

The issues in this matter are whether the claimant quit for good cause attributable to the employer and whether claimant is overpaid unemployment insurance benefits.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant quit on October 17, 2011 due to a dispute with a co-worker. When she quit she listed the reasons as “personal.”

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to the employer when claimant terminated the employment relationship because of dissatisfaction with her working conditions.

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.

The following is considered to be voluntary quit without good cause. "The claimant left because of dissatisfaction with the work environment." Iowa Administrative Code 871-24.25(21). The claimant quit because of dissatisfaction with a co-worker who was unkind to her and she felt the employer mishandled the situation. Based upon the evidence in the record, it does appear that the employer did not follow its own procedures for resolving disputes between workers. This, however, did not rise to the level of "detrimental or intolerable working conditions" which would be considered good cause under Iowa Administrative Code 871-24.26(4). It is more accurately described as dissatisfaction with the work environment.

DECISION:

The decision of the representative dated December 27, 2011, reference 01, is affirmed. Unemployment insurance benefits are withheld until claimant has worked in and been paid wages for insured work equal to ten times claimant's weekly benefit amount, provided claimant is otherwise eligible.

Joseph L. Walsh
Administrative Law Judge

Decision Dated and Mailed

jlw/css