

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**GREG PYAWASIT**  
Claimant

**GREEN PLAINS RENEWABLE ENERGY INC**  
Employer

**APPEAL NO. 16A-UI-11245-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/02/16  
Claimant: Appellant (1)**

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Iowa Code § 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

Claimant filed an appeal from a decision of a representative dated October 17, 2016, reference 01, which held claimant ineligible for unemployment insurance benefits. After due notice, a hearing was scheduled for and held on November 1, 2016. Claimant participated. Employer participated by David Pierce.

**ISSUE:**

The issue in this matter is whether claimant quit for good cause attributable to employer.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds: Claimant last worked for employer on September 4, 2016. Claimant had difficulties at work because of differences between the political views held by claimant and other coworkers.

Claimant went to human resources when he received insulting and vaguely threatening comments from coworkers concerning his political views and the views held by people running for the office of president of the United States. An investigation was conducted, and the person making the comments was suspended a few weeks later. Claimant stated that after the person was suspended, his friends would snidely say, "I sure can't say things or people will run to human resources." This made claimant more uncomfortable. Claimant didn't return to human resources to address the issue that the coworkers' comments were still making him feel uncomfortable. Claimant continued working for a few more weeks, and then decided to quit his employment.

**REASONING AND CONCLUSIONS OF LAW:**

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 administrative law judge holds that the evidence has failed to establish that claimant voluntarily quit for good cause attributable to employer when claimant terminated the employment relationship because he felt uncomfortable that his coworkers no longer had the same casual conversations that they used to have at work.

As claimant went to human resources to complain when political threats were made, and claimant's complaints were immediately addressed, claimant knew that he could go to his superiors and have his complaints validated. Claimant quit not because there were insulting claims made to him, but because workers said that they were worried about making insulting claims. If these statements were also offensive, claimant could have once again gone to human resources with his complaints. But claimant stated that he felt bad that he didn't have the same free conversations he'd had before with his coworkers.

**DECISION:**

The decision of the representative dated October 17, 2016, reference 01, is affirmed. Unemployment insurance benefits shall be 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.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/pjs