

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HILARY J HARSHFIELD
Claimant

APPEAL NO. 07A-UI-04429-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JARCO BUILDERS LTD
Employer

**OC: 04-01-07 R: 01
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Hilary Harshfield filed an appeal from a decision of a representative dated April 17, 2007, reference 01, which denied benefits based upon her separation from Jarco Builders, Ltd. After due notice was issued, a hearing was scheduled for and held on May 17, 2007 by telephone conference call. Ms. Harshfield participated personally. The employer participated by Jerry Reicks, Company President. Exhibits One and Two were received into evidence.

ISSUE:

At issue in this matter is whether Ms. Harshfield quit for good cause attributable to the employer.

FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds the claimant last worked for this employer from February 2006 until March 21, 2007 when she voluntarily quit her employment. Ms. Harshfield was employed as a full-time bookkeeper and paid by the hour. Her immediate supervisor was Jerry Reicks, Company President.

Ms. Harshfield voluntarily quit her employment with Jarco Builders, Ltd. because of a personal dispute that had developed between the claimant and Brenda Reicks, the wife of the company president. Mrs. Reicks is the grandmother of Ms. Harshfield's six-year-old daughter. The parties enjoyed an amicable relationship in general terms; however, at times the relationship was punctuated with periods of disharmony due to the overlapping family relationships. The claimant was considered to be a good and valued employee by the company and occasional periods of disharmony did not cause the employment relationship to end in the past.

Ms. Harshfield left her employment after receiving an e:mail at work sent to her by Brenda Reicks lamenting the issues of a recent dispute concerning Ms. Harshfield's daughter, Brenda Reicks' granddaughter. Ms. Harshfield left her employment when the company president was not willing to immediately intervene but suggested a cooling off period to let matters resolve as they had before. Work continued to be available to Ms. Harshfield at the time of her leaving.

The claimant was considered to be a good and valued employee by the company president and her employment was not in jeopardy.

REASONING AND CONCLUSIONS OF LAW:

The administrative law judge concludes based upon the evidence in the record that the claimant left her employment with Jarco Builders, Ltd. as the result primarily of a personal dispute with the company owner's wife who was employed by the company and also was the grandmother of the claimant's six-year-old daughter. The evidence establishes that although the parties generally had an amicable relationship, at times in the past the employment relationship had been somewhat complicated by the overlapping personal issues. The claimant was considered to be a good and valued employee and her employment was not in jeopardy. Ms. Harshfield chose to leave her employment because she was personally hurt by Brenda Reicks' statements or allegations. The evidence establishes that although some work conflicts had occurred in the past due to the personal relationship between the parties, the parties had been able to resolve them. Based upon the evidence in the record, the administrative law judge finds Ms. Reicks' conduct was a reflection of Ms. Reicks' personal animosity at the time and not reflective of the company's position or of its president, Mr. Reicks. Ms. Harshfield was aware that Mr. Reicks had acted in the past to resolve conflicts of this nature. Mr. Reicks' advice to, in effect, let matters cool was not unreasonable under the circumstances in this case.

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.

For the reasons stated herein, the administrative law judge finds that the claimant voluntarily quit employment under disqualifying conditions. Benefits are withheld.

DECISION:

The representative's decision dated April 17, 2007, reference 01, is hereby affirmed. Claimant quit employment under disqualifying conditions. Benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times the claimant's weekly benefit amount, provided the claimant is otherwise eligible.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

tpn/pjs