

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

TERESA WILLE  
3016 VIKING DR  
SIOUX CITY IA 51104

MERCY HOSPITAL  
ATTN HUMAN RESOURCES  
1055 - 6<sup>TH</sup> AVE STE 105  
DES MOINES IA 50314

Appeal Number: 06A-UI-05027-BT  
OC: 04/02/06 R: 01  
Claimant: Appellant (1)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Teresa Wille (claimant) appealed an unemployment insurance decision dated May 5, 2006, reference 04, which held that she was not eligible for unemployment insurance benefits because she voluntarily quit her employment with Mercy Hospital (employer) without good cause attributable to the employer. After hearing notices were mailed to the parties' last-known addresses of record, a telephone hearing was held on May 25, 2006. The claimant participated in the hearing with former employee, Dana Comito. The employer participated through Ron Robertson, Employee Relations Coordinator and Tony Sacco, Director of Medical Records. Claimant's Exhibit A was admitted into evidence.

#### FINDINGS OF FACT:

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The claimant was employed as a full-time coder/abstractor from October 17, 2005 through February 10, 2006, when she voluntarily quit her employment. She was hired to assign diagnoses and procedures to medical records and once she met the training qualifications, she could work from home. The claimant lives in Sioux City, Iowa but applied for the job in Des Moines and went through training in Des Moines. She effectively quit because she had not been allowed to work from her home and it was costing her too much to live in Des Moines. Coder/abstractors who are hired to work from home must first go through training and are only allowed to move home once they meet the training requirements. The typical amount of time for training is six months but it can be more or less, depending on the individual employee's progress. The claimant had not yet met the requirements to move home. She felt it was unfair because she was judged by four different trainers but was treated no differently than any other person in training. The claimant was unable to provide specific examples of how she was judged differently by different trainers. The employer anticipated the claimant's continued employment and paid for the claimant to have the Internet hooked up at her residence in December 2005. The employer continued to pay for this monthly cost and had it set up early in the claimant's training as there had been numerous problems with other employee's Internet hook-ups and the employer wanted to avoid those problems when the claimant was eventually sent home to work.

#### REASONING AND CONCLUSIONS OF LAW:

The issue is whether the reasons for the claimant's separation from employment qualify her to receive unemployment insurance benefits.

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.

871 IAC 24.25(21) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

- (21) The claimant left because of dissatisfaction with the work environment.

It is the claimant's burden to prove that the voluntary quit was for a good cause that would not disqualify her. Iowa Code section 96.6-2. She quit her job because she had not yet been moved home and it was getting too expensive to live in Des Moines. However, the fact that the

claimant was not ready to be moved home was due to her own level of training and qualifications and not determined by the employer. The claimant has not satisfied her burden and benefits are denied.

DECISION:

The unemployment insurance decision dated May 5, 2006, reference 04, is affirmed. The claimant voluntarily left work without good cause attributable to the employer. Benefits are withheld until she has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

sdb/pjs