

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SANDRA J DEWIT**  
Claimant

**APPEAL NO. 12A-UI-05236-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS FARGO BANK NA**  
Employer

**OC: 04/24/12**  
**Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated April 24, 2012, reference 01, that concluded she voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on May 30, 2012. The parties were properly notified about the hearing. The claimant participated in the hearing. Kelley Landolphi participated in the hearing on behalf of the employer with a witness, Brian Stevenson.

**ISSUE:**

Did the claimant voluntarily quit employment without good cause attributable to the employer?

**FINDINGS OF FACT:**

The claimant worked full time for the employer as a home preservation specialist from September 7, 2010, to March 28, 2012.

The claimant voluntarily quit her employment on March 28, 2012, because (1) she had continuing problems with her supervisor, Victoria Anderson; (2) she was denied a transfer to the day shift when the employer was hiring new employees for the dayshift; and (3) she was placed on a performance improvement plan for not having enough outbound calls.

The claimant believed Anderson was not providing her enough support, she was not having one-on-one meetings, she failed to respond to email appropriately, and she had not taken care of her responsibilities to approve things the claimant needed to do her job. The claimant had complained about Anderson to the loan administrator, Brian Stevenson, but quit before Stevenson had a chance to address her concerns.

The claimant was never promised dayshift hours, and the employer hired new employees for dayshift hours as a matter of policy because evening shifts were harder to fill.

The claimant was placed on the performance improvement plan to increase the number of outbound calls. Due to her heavy workload that required her to handle inboard calls 95 percent of the time, it was difficult to increase outbound calls. The claimant was upset that other

employees were inflating outbound calls by making outbound calls to places they knew were closed and she was being penalized for her honesty. The claimant was not in jeopardy of being fired when she quit.

**REASONING AND CONCLUSIONS OF LAW:**

The unemployment insurance law disqualifies claimants who voluntarily quit employment without good cause attributable to the employer. Iowa Code § 96.5-1.

While the claimant was understandably dissatisfied with her supervisor about not being put on days, the evidence fails to establish intolerable working condition or conduct by the employer meeting the standard of good cause attributable to the employer. This is especially true because the claimant quit without giving the loan administrator a reasonable opportunity to address her concerns. In terms of the dayshift transfer, the claimant was never promised dayshift hours so this would not provide good cause to quit. The employer was within its rights to put the claimant on a performance improvement plan regarding outbound call volume if that was a concern the employer had with the claimant's performance.

**DECISION:**

The unemployment insurance decision dated April 24, 2012, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until she has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs