

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JEFFERY SCHULTE
Claimant

APPEAL NO: 09A-UI-05178-ET

**ADMINISTRATIVE LAW JUDGE
DECISION**

GRAFFIX INC
Employer

OC: 02-22-09
Claimant: Appellant (1)

Section 96.5-1 – Voluntary Leaving

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the March 26, 2009, reference 02, decision that denied benefits. After due notice was issued, a telephone hearing was held before Administrative Law Judge Julie Elder on May 26, 2009. The claimant participated in the hearing. Brad Graff, Partner, participated in the hearing on behalf of the employer.

ISSUE:

The issue is whether the claimant voluntarily left his employment with good cause attributable to the employer.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The claimant was employed as a full-time graphic artist/designer for Graffix from October 8, 2008 to February 4, 2009. The claimant e-mailed the employer before 9:00 a.m., February 4, 2009, stating he was resigning immediately to seek a “new venture” that would benefit him on a larger scale. The employer interpreted his e-mail to mean he found another job. The claimant testified he did not have another job but left his employment because he was “stressed out” by the work environment. He felt the brothers who owned the company spoke to each other disrespectfully. He also did not know how to screen print and felt he was being micro-managed and was on “pins and needles.” He testified he did not know how to respond to the tension. The employer believed he was starting to “figure things out” and he had not been warned about his performance.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the claimant voluntarily left his employment without good cause attributable to the employer.

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.

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. 871 IAC 24.25. Leaving because of unlawful, intolerable, or detrimental working conditions would be good cause. 871 IAC 24.26(3),(4). Leaving because of dissatisfaction with the work environment is not good cause. 871 IAC 24.25(1). The claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code section 96.6-2. While the claimant was uncomfortable in the work environment and did not know how to respond to tension, the atmosphere he described was not unlawful, intolerable, or detrimental. Consequently, he has not demonstrated good cause for his leaving as defined by Iowa law. Therefore, benefits are denied.

DECISION:

The March 26, 2009, reference 02, decision is affirmed. The claimant voluntarily left his employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

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