

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JACK A CLARK
Claimant

APPEAL NO. 08A-UI-00372-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SEATON CORPORATION
Employer

**OC: 12/16/07 R: 12
Claimant: Appellant (1)**

Section 96.5-1 - Voluntary Quit

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated January 7, 2008, reference 01, that concluded he voluntarily quit employment without good cause attributable to the employer. A telephone hearing was held on January 28, 2008. The parties were properly notified about the hearing. The claimant participated in the hearing with a witness, Fanny Davis. Rachel Leist participated in the hearing on behalf of the employer.

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 line leader from May 2007 to October 26, 2007. He was assigned to work at the Proctor and Gamble plant in Iowa City, Iowa. He voluntarily quit employment because he was dissatisfied with conditions at work. He felt that the Hispanic workers in the plant ignored his directives and at one point in time, a Proctor and Gamble employee, directed profanity at the claimant. The claimant reported this to his supervisor. The supervisor in turn contacted Proctor and Gamble who handled the discipline. On another occasion, the claimant and another employee engaged in a verbal conflict that became heated. The employee was suspended and counseled for his conduct. The claimant informed the employer that he was quitting his employment to relocate to the state of Ohio.

REASONING AND CONCLUSIONS OF LAW:

The issue in this case is whether the claimant voluntarily quit 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.

The evidence establishes the claimant quit to relocate and because he was dissatisfied with working conditions. The evidence establishes that the employer dealt with the complaints that the claimant had about other employees, but the claimant remained dissatisfied with the conditions at work. No intolerable working conditions have been proven. The unemployment insurance rules state that a claimant who quits employment to relocate or because he is dissatisfied with working conditions has left work without good cause attributable to the employer. 871 IAC 24.25(2) and 24.25(21).

DECISION:

The unemployment insurance decision dated January 7, 2008, reference 01, is affirmed. The claimant is disqualified from receiving unemployment insurance benefits until he has been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs