

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DAWN BEGGS**

Claimant

**APPEAL NO. 13A-UI-11413-HT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FOCUS SERVICES LLC**

Employer

**OC: 09/08/13**

**Claimant: Appellant (1)**

Section 96.5(1) - Quit

**STATEMENT OF THE CASE:**

The claimant, Dawn Beggs, filed an appeal from a decision dated September 27, 2013, reference 04. The decision disqualified her from receiving unemployment benefits. After due notice was issued a hearing was held by telephone conference call on November 4, 2013. The claimant participated on her own behalf. The employer, Focus Services, participated by Human Resources Assistant Angie Pratt.

**ISSUE:**

The issue is whether the claimant quit work with good cause attributable to the employer.

**FINDINGS OF FACT:**

Dawn Beggs was employed by Focus Services from September 3 until September 5, 2013 as a full-time customer service agent in training. She found the first two days of training very difficult because some of the participants in the class were returning employees to Focus Services and were disruptive and "disrespectful." She was having a hard time learning the material trainer Brian Marshall was teaching.

The evening of September 4, 2013, she spoke with Mr. Marshall and told him of her concerns about the disruptive behavior of the other trainees and how it was making it hard for her to learn the material. He said he would see what he could do. But the next morning, before class started, Ms. Beggs notified the trainer she was quitting.

**REASONING AND CONCLUSIONS OF LAW:**

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.

The claimant quit because she did not like the work environment. Although she reported the problem to the trainer she did not give him sufficient opportunity to try and correct the problem because she quit before the start of the next work day.

In order for good cause attributable to the employer to exist, a claimant must make some effort to give the employer an opportunity to work out whatever problem led to the grievance. *Denby v. Board of Review*, 567 P.2d 626 (Utah 1977). Ms. Beggs did not have good cause attributable to the employer for quitting and she is disqualified.

**DECISION:**

The representative's decision of September 27, 2013, reference 04, is affirmed. Dawn Beggs is disqualified and benefits are withheld until she has earned ten times her weekly benefit amount in insured work, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/pjs