

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ALEETA J FROST**  
Claimant

**APPEAL NO. 13A-UI-04290-H**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ROYAL PRESTIGE OF IOWA INC**  
Employer

**OC: 03/17/13**  
**Claimant: Appellant (2)**

Section 96.5(1) – Quit

**STATEMENT OF THE CASE:**

The claimant, Aleeta Frost filed an appeal from a decision dated April 3, 2013, reference 01. The decision found her disqualified for unemployment benefits. After due notice was issued, a hearing was held in Des Moines, Iowa, on June 25, 2013. The claimant participated on her own behalf with Alona Timmerman and was represented by Stuart Higgins. The employer, Royal Prestige, participated by President Ted Quick and Customer Service Representatives Amber Richardson and Jason Bendorf.

**ISSUE:**

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

**FINDINGS OF FACT:**

Aleeta Frost was employed by Royal Prestige from May 7, 2007 until March 18, 2013 as a full-time receptionist. The claimant and the office manager, Irene, had a difficult and somewhat acrimonious relationship. Everyone was aware of it and others became involved to act as intermediaries when they would not speak to each other.

Ms. Frost's mother, Alona Timmerman, also worked for the employer. She had loaned her personal camera to President Ted Quick to use for a company function in January. On March 18, 2013, Ms. Timmerman maintained personal photos of hers had been lost while the employer had used the camera. Irene brought a laptop and proved the pictures were still existent. Somehow an argument began in which accusations were made that Ms. Timmerman had known all along the pictures had not been lost and Irene called her a liar. Things escalated from that point to include Ms. Frost.

Irene became physically violent and Mr. Quick had to forcibly remove her from Ms. Timmerman's office. She was clutching the door jamb in an attempt not to be removed, struck Mr. Quick more than once and finally had to be put on the floor with the president sitting on her to calm her down. Ms. Timmerman told the employer she was quitting and left with Ms. Frost, who is her daughter. The claimant came back briefly to punch out, told Mr. Quick she

was quitting and also left a voice mail on the phone of Customer Service Representative Jason Bendorf.

**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 24.26(4) provides:

Voluntary quit with good cause attributable to the employer and separations not considered to be voluntary quits. The following are reasons for a claimant leaving employment with good cause attributable to the employer:

(4) The claimant left due to intolerable or detrimental working conditions.

The employer and one of his witnesses confirmed the incident involving Irene on March 18, 2013. They did not dispute that she had become physically aggressive and had to be restrained. They asserted they did not feel threatened by Irene's conduct because the company was "like a family" and disputes arose in all families. The judge notes, however, that neither of these witnesses were the object of Irene's aggression.

Whatever disagreements occurred between claimant and office manager, there is no reason an employee should be subject to such a violent acting out by another staff person. Anyone who strikes out at the owner of the business, and has to be put on the floor and sat upon to calm down, is a threat. The administrative law judge concludes any reasonable person, confronted with such conduct, would feel threatened. A hostile and unsafe work environment constitutes good cause attributable to the employer for quitting. Benefits are allowed.

**DECISION:**

The representative's decision of April 03, 2013, reference 01, is reversed. Aleeta Frost is qualified for benefits, provided she is otherwise eligible.

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Bonny G. Hendricksmeier  
Administrative Law Judge

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Decision Dated and Mailed

bgh/css